

105

1 out which ones to count and which ones not, this would  
2 say where you have a problem, where you have a problem,  
3 you can take action, and if you don't have a problem,  
4 you go on down the road. What could be simpler than  
5 that?

6 If there were a local fiscal note on this  
7 bill, this would eliminate the local fiscal note. This  
8 is a common sense amendment, and I respectfully request  
9 that you vote "No" on the motion to table.

10 SPEAKER: Mr. Hochberg sends up an  
11 amendment. Ms. Denny moves to table. All those in  
12 favor, vote "I," all those opposed, vote "Nay."

13 It's a record vote. The clerk will ring the  
14 bell. It's a motion to table, members.

15 (Bell ringing.)

16 SPEAKER: Show Ms. Denny voting "I."  
17 Show Mr. Hochberg voting "No."

18 (Bell ringing.)

19 SPEAKER: Have all voted?

20 (Bell ringing.)

21 SPEAKER: There being 83 "I's," 62  
22 "Nay's," the motion to table prevails.

23 The following amendment. The Clerk will read  
24 the amendment.

25 CLERK: Amendment by Anchia.



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008669

TX\_00211412

106

1 SPEAKER: The Chair recognizes  
2 Mr. Anchia.

3 REP. ANCHIA: Thank you, Mr. Speaker and  
4 members. This amendment does one simple thing. I think  
5 we've established, whether people want to acknowledge it  
6 or not, that people are going to be hurt and their right  
7 to vote is going to be hurt by this piece of  
8 legislation.

9 It says instead of starting this thing  
10 immediately effective September 1, 2005, we recognize  
11 that there's going to be a substantial amount of voter  
12 education that needs to occur, and what I'm asking you  
13 to do is make this effective September 1, 2008, so that  
14 we have at least one general election cycle to have  
15 people come to the polls, have them get used to the  
16 process, have them understand that their voter  
17 registration certificate that they've been using for 50  
18 years is no longer effective for voting regularly, and  
19 it gives us some time to educate voters so that less  
20 people will be disenfranchised. This is quite simple.  
21 It says delay the impact of this bill until 2008 for us  
22 to do voter education. I move adoption.

23 SPEAKER: Mr. Veasey?

24 REP. VEASEY: Mr. Speaker, does the  
25 gentlemen yield for a question?



Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008670

TX\_00211413

107

1 REP. ANCHIA: I will yield for my  
2 colleague.

3 REP. VEASEY: Mr. Anchia, isn't it also  
4 true that this bill has not be pre-cleared by the  
5 Justice Department?

6 REP. ANCHIA: Yes.

7 REP. VEASEY: So by further delaying the  
8 implementation of the bill, we can wait and see what the  
9 Justice Department says about whether or not this does,  
10 in fact, disenfranchise voters.

11 REP. ANCHIA: That's reasonable  
12 observation. I move adoption.

13 SPEAKER: The Chair recognizes Ms.  
14 Denny.

15 REP. DENNY: Thank you, Mr. Speaker. I  
16 see no reason to delay implementation of this bill and  
17 allow fraudulent votes to continue to be cast. It's  
18 true that the Justice Department does not pre-clear any  
19 of our legislation until it passes both houses and is  
20 signed into law by the governor, and that would be --  
21 this case would be no different than any others, and so  
22 to not further delay implementation of this legislation  
23 --

24 REP. THOMPSON: Mr. Speaker.

25 REP. DENNY: -- I move to table



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008671

TX\_00211414

108

1 Mr. Anchia's amendment.

2 SPEAKER: Ms. Thompson, for what purpose?

3 REP. THOMPSON: Will the gentle lady  
4 yield?

5 REP. DENNY: I do.

6 SPEAKER: The lady yields.

7 REP. THOMPSON: Mary, you know this is a  
8 special week for you.

9 REP. DENNY: It is indeed, Ms. Thompson.

10 REP. THOMPSON: It is the day of your  
11 suit. You know, earlier you stated that you had  
12 minority support on this bill. Do you?

13 REP. DENNY: I do.

14 REP. THOMPSON: Did it sign on the bill?

15 REP. DENNY: I'm sorry?

16 REP. THOMPSON: Did it sign on?

17 REP. DENNY: No, but they have told me  
18 quietly on the floor --

19 REP. THOMPSON: Secretly?

20 REP. DENNY: Yes, secret support. Quiet  
21 support. And I can understand, Ms. Thompson, why it's  
22 not outward and verbal, because there is a lot of  
23 dissension within the ranks of the minority community  
24 about this bill.

25 REP. THOMPSON: Thank you.



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquireolutions.com](http://www.esquireolutions.com)

JA\_008672

TX\_00211415

109

1 REP. ANCHIA: Mr. Speaker?

2 REP. DENNY: I yield.

3 SPEAKER: The lady yields.

4 REP. ANCHIA: Thank you, Madam Chair.

5 Madam Chair, thank you for your work on this bill and  
6 for your explanations related to the underpinnings and  
7 your motivations behind the bill.

8 Do you think it's unreasonable to engage in  
9 voter education for a bill that changed the law so  
10 substantially.

11 REP. DENNY: Not at all.

12 REP. ANCHIA: I'm sorry?

13 REP. DENNY: Not at all. I don't think  
14 it's unreasonable at all.

15 REP. ANCHIA: And I notice that you  
16 didn't have any money in this bill. You suggested it  
17 would be raised from private sources, correct?

18 REP. DENNY: That's what the Secretary of  
19 State has told me.

20 REP. ANCHIA: Do you know if they have  
21 any commitments currently?

22 REP. DENNY: He has told me that he does,  
23 that he's raising money now.

24 REP. ANCHIA: Do you also agree that this  
25 would be quite a substantial voter education campaign?



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008673

TX\_00211416

110

1 REP. DENNY: I do.

2 REP. ANCHIA: And it would likely take  
3 millions and millions of dollars in order to get the  
4 word out to people who may not follow elections as  
5 closely as we would like them to?

6 REP. DENNY: I don't know what the amount  
7 would be.

8 REP. ANCHIA: So did he tell you what his  
9 fundraising goal is?

10 REP. DENNY: No.

11 REP. ANCHIA: Did he tell you how much it  
12 would cost to train poll workers in these new procedures  
13 and laws?

14 REP. DENNY: No, but that's a cost that's  
15 borne by the county.

16 REP. ANCHIA: Okay. But you would agree,  
17 you would agree that if money needs to be raised  
18 privately, there's no guarantee that it will be there to  
19 do the voter education. In terms of guarantees, we have  
20 no guarantees.

21 REP. DENNY: No, we have no guarantees  
22 but I know our Secretary of State and has known his  
23 fundraising abilities for many years and he is the best.

24 REP. ANCHIA: I appreciate, I appreciate  
25 the Secretary's prowess in fundraising. However, we do



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008674

TX\_00211417

111

1 have no guarantees as a body, and do you not think it  
2 would be reasonable to allow time for the Secretary to  
3 do ample voter education so that people would not be  
4 disenfranchised?

5 You said earlier, at 2:59, and I heard it and  
6 I wrote it down, that people would be impacted  
7 disparately by this legislation.

8 REP. DENNY: They will be impacted, and  
9 there is a budget already in the Secretary of State's  
10 office for voter education programs, and I feel certain,  
11 Mr. Anchia, that the Secretary will be able to raise  
12 ample funds to do the job necessary to educate voters  
13 across Texas.

14 REP. ANCHIA: So if the money is raised,  
15 do you think that the counties will be able to do voter  
16 education in time so that people, as of this November or  
17 next May --

18 REP. DENNY: It will be next November.

19 REP. ANCHIA: You think people will have  
20 enough information so that nobody is disenfranchised?

21 REP. DENNY: I do believe that's correct.

22 REP. ANCHIA: You don't think one person  
23 will be impacted by your bill to where their vote will  
24 not count?

25 REP. DENNY: I can't say that. I'm sure,



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008675

TX\_00211418

112

1 because people are disenfranchised now, Mr. Anchia,  
2 unfortunately. Mistakes are made and things happen.

3 REP. ANCHIA: And you would agree with me  
4 then that the disenfranchisement would be positively  
5 impacted by this bill?

6 REP. DENNY: I don't know that it would  
7 be the fault of this bill in any way like it is the  
8 fault of things we do not know what impacts voters and  
9 being disenfranchised. Thank you.

10 I urge you to vote "Yes" on the motion to  
11 table.

12 SPEAKER: Mr. Anchia to close.

13 REP. ANCHIA: Thank you, Mr. Speaker and  
14 members. This is simple. It's disappointing that it's  
15 not acceptable to the author. It simply allows us to  
16 have one election cycle to get used to the new rules so  
17 that every time a voter goes to the polling location  
18 during the next couple of elections, they'll get some  
19 information that says, "Hey, it's not enough just to  
20 have your voter registration card." Starting in 2008,  
21 you need to have a photo ID.

22 It lets people adjust to the law, it lets  
23 people get ready for the new rules and it will really  
24 minimize any damage that this bill can do in terms of  
25 disenfranchisement. Please stay with me on this. This



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008676

TX\_00211419



113

1 one seems like a simple bill. It will give the  
2 Secretary of State a little bit more time to raise that  
3 private money. I move adoption.

4 SPEAKER: Members, Mr. Anchia sends up an  
5 amendment. Ms. Denny moves to table. All those in  
6 favor, vote "I," all those opposed, vote "No."

7 It's a record vote. Clerk, ring the  
8 bell. It's a motion to table.

9 (Bell ringing.)

10 SPEAKER: Have all voted? There being  
11 81. "I's", 62 "Nay's," the motion to table prevails.

12 The following amendment. The clerk will read  
13 the amendment.

14 CLERK: Amended by Veasey.

15 SPEAKER: The Chair recognizes  
16 Mr. Veasey.

17 REP. VEASEY: Mr. Speaker, members, this  
18 amendment talks about what Mr. Anchia just spoke about a  
19 second ago, and it would basically make it to where  
20 election workers are required to be trained.

21 By creating this new complicated ID  
22 requirement for voters, 1706 increases the likelihood  
23 that properly registered voters will be turned away at  
24 the poll. This bill takes effect very soon, only in a  
25 matter of months, and people haven't had time to study



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008677

TX\_00211420

1 and get trained up on this.

2 When you go into the election place, I worked  
3 several elections since the 1998 cycle, and when you go  
4 into all of the voting places, you'll notice that most  
5 of these ladies there, they're older ladies. They're  
6 there volunteering and they need the best training  
7 possible to make sure that no one is disenfranchised and  
8 that make sure every voted is counted.

9 Many of the election officials that I've  
10 talked to that live in my community that I know when you  
11 talk with them, they'll tell you that, you know,  
12 sometimes they'll come and ask me, "Well, what's going  
13 on? What's new? What's changed? Can we still do  
14 this? Can someone still vote by this measure?" And the  
15 counties sometimes don't do a good enough job and we  
16 have got to give them some more time and we have to give  
17 them some training in order to make sure that there's no  
18 confusion about these new ID requirements.

19 SPEAKER: The Chair recognizes  
20 Mr. Hartnett for a recognition.

21 REP. HARTNETT: Thank you, Mr. Speaker,  
22 members. I'd like to recognize a group of 7th graders  
23 from my district here from Muskokeo Christian School.  
24 Could you all stand up please in the south gallery.

25 Let's give them a welcome, members. Thank you



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

115

1 very much.

2 SPEAKER: The Chair recognizes Ms. Denny  
3 to speak in opposition.

4 REP. DENNY: Mr. Speaker, members,  
5 nobody, nobody will be turned away from voting. If you  
6 refer to page 2, line 1 of the bill, it says that,  
7 subsection B 1 or 2, if they're not met, the voters  
8 shall be accepted for provisional voting. It clearly  
9 states that in the bill, that no one will be turned  
10 away.

11 We already have training requirements under  
12 the law, that if poll workers want to receive the  
13 maximum amount of pay, they have to take the training.  
14 Currently, the county or political subdivision  
15 determines how much pay is given to election clerks and  
16 judges and they are paying a fair market value decent  
17 wage. It's only in the primary elections where the  
18 state is paying the bill that those payments remain low,  
19 which is unfortunate, but the state hasn't had the money  
20 to pay them well.

21 In some instances, your county executive  
22 committees have trained them, and through private  
23 funding, have paid them higher wages so that they could  
24 require that training and get better trained election  
25 workers, that's for the primary elections, but this



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008679

TX\_00211422

116

1 would be an unfunded -- well, it would be a mandate on  
2 the counties which, since the law previously says you  
3 have to pay more if you require training, this would be  
4 an unfunded mandate on our counties, cities and  
5 political subdivisions. And therefore, I move to table  
6 this amendment.

7 REP. VEASEY: Mr. Speaker.

8 SPEAKER: Mr. Veasey, for what reason?

9 REP. VEASEY: Does the gentle lady yield?

10 REP. DENNY: I do.

11 SPEAKER: The lady yields.

12 REP. VEASEY: Ms. Denny.

13 REP. DENNY: Yes, sir.

14 REP. VEASEY: Once again, you mention  
15 line 2 in your bill, but isn't it a fact that most of  
16 these provisional ballots, when they are cast, that they  
17 do not count?

18 REP. DENNY: Yes, that's true, under the  
19 provisions of provisional balloting today. Under --

20 If this bill passes and someone comes, goes in  
21 and shows their ID within the five days, that  
22 provisional ballot would be cast.

23 REP. VEASEY: Okay. Well, but let's say  
24 that a person has to take a vote or a person lives in a  
25 county where there is only, and they live hundreds of



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008680

TX\_00211423

117

1 miles away from the county elections office.

2 REP. DENNY: Well, it won't be hundreds  
3 of miles away in a county because the counties aren't  
4 that big.

5 REP. VEASEY: Okay, but let's say they  
6 live --

7 REP. DENNY: They can live a fair  
8 distance, I'll give you that.

9 REP. VEASEY: Exactly.

10 REP. DENNY: We've got some big counties  
11 but not quite that big.

12 REP. VEASEY: Isn't it true that their  
13 vote, it wouldn't count if they weren't able to make it  
14 back. If there were transportation issues, if they have  
15 to catch a bus to go and vote, they're probably not  
16 going to make it back. Don't you think this is going to  
17 create a hardship on working people and on people that  
18 don't have transportation?

19 REP. DENNY: It may be difficult for  
20 some, Mr. Veasey, but for those people, like I said,  
21 we're going to have a massive education effort up front  
22 so people will know what ID to take with them up front  
23 before they go and cast that ballot.

24 REP. VEASEY: Do you feel comfortable  
25 knowing that individuals with valid voter registration



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008681

TX\_00211424

118

1 cards are going to cast votes, are going to go down to  
2 their respective places and go down to cast ballots and  
3 that if they don't have a photo ID, their vote is not  
4 going to be count? Are you very comfortable with that?

5 REP. DENNY: It's not that they don't  
6 have a photo ID, that they have also two other forms of  
7 valid ID.

8 REP. VEASEY: But say they have a valid  
9 voter registration card, they have a valid card and it  
10 says that they can vote and they do not have a  
11 identification card and they don't have the money to go  
12 back and catch the bus again to go back to the polling  
13 place, are you comfortable knowing that that person's  
14 vote, that person that has the legal right to vote, that  
15 their vote is not going to count?

16 REP. DENNY: They're going to have plenty  
17 of notification that the ID requirements are in place  
18 and what ID is acceptable. And Ms. Chavez is going to  
19 have an amendment here in a minute that I'm going to  
20 accept that's going to have that posted on the polling  
21 location before they even enter the building, that will  
22 have that there. So hopefully, they won't even get  
23 in --

24 REP. HOCHBURG: Mr. Speaker?

25 REP. DENNY: -- the door and cast that



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008682

TX\_00211425

119

1 ballot before they know.

2 SPEAKER: Mr. Hochberg, for what purpose?

3 REP. HOCHBURG: Will the gentle lady  
4 yield?

5 REP. DENNY: I do, Mr. Hochberg.

6 SPEAKER: The lady yields.

7 REP. HOCHBURG: Chairman Denny, I just  
8 heard you say that the ballot would be accepted if they  
9 go down and provide that identification within the five  
10 days, is that correct?

11 REP. DENNY: That's correct.

12 REP. HOCHBURG: I don't think your bill  
13 says that. Would you look with me at page 6, line 13,  
14 where that is? Because I see, at least in my copy,  
15 unless it's been amended, that it says a provisional  
16 ballot may be accepted.

17 Can you show me where there's anything that  
18 requires the board to accept it?

19 REP. DENNY: It will be.

20 REP. HOCHBURG: Why?

21 REP. DENNY: So you're correct, it does  
22 say "May," but they will accept it.

23 REP. HOCHBURG: Well, maybe we ought to  
24 go back and look at my amendment and see if we can fix  
25 that up. Thank you, Ms. Denny.



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008683

TX\_00211426

120

1 REP. ALLEN: Will the gentle lady yield?

2 REP. DENNY: I will, Ms. Allen.

3 SPEAKER: The lady yields, Ms. Allen.

4 REP. ALLEN: If the provisional ballot is  
5 accepted within the one to five day period, will  
6 essentially the election will be over?

7 REP. DENNY: No, no, no, because  
8 currently, under the law, we have five days in which to  
9 receive mail-in ballots from overseas.

10 REP. ALLEN: But for all practical  
11 purposes, on election night, they do announce the  
12 winner, election night?

13 REP. DENNY: Correct, but those returns  
14 are not certified. That's pending certification  
15 process, that's correct.

16 REP. ALLEN: But essentially the impact  
17 of that vote will be null and void in terms of the  
18 effect on the election.

19 REP. DENNY: No, I disagree because all  
20 those overseas votes are still coming in. You know, I  
21 say all. There are a few, but all the provisional  
22 ballots are still being counted during -- or received  
23 during that time and gone through.

24 REP. ALLEN: Have you ever witnessed a  
25 election that's been changed or overturned because of



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008684

TX\_00211427



121

1 provisional ballots?

2 REP. DENNY: Well, provisional balloting  
3 has just been in affect through one election, and I have  
4 not been actually on the ground to watch that.

5 REP. ALLEN: Right.

6 REP. DENNY: At a county site.

7 REP. ALLEN: Do you also realize that 90  
8 percent of those ballots are not counted, accepted?

9 REP. DENNY: I believe it's about 80  
10 percent.

11 REP. ALLEN: That's correct. 80 is a  
12 good number. Thank you.

13 REP. DENNY: Thank you. I move to table  
14 Mr. Veasey's amendment.

15 SPEAKER: The Chair recognizes Mr.  
16 Veasey to close.

17 REP. VEASEY: Mr. Speaker, members,  
18 before this law could be implemented, and my opinion is  
19 that this is just a bad law, we have got to make sure  
20 that these older senior citizens, who are mainly, who  
21 work at these polling places, that there's education and  
22 there's training to make sure that everyone who has the  
23 right to vote can vote.

24 We've really come a long way here in the state  
25 of Texas to get to where we are now, and when you go to



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008685

TX\_00211428

122

1 other parts of the south and you talk to individuals in  
2 those states and I tell them how easy it is to vote here  
3 right now, they're really impressed to know that in  
4 Texas, that since the implementation of a voting rights  
5 act, that we can vote here easier than in other parts of  
6 the south. We have to preserve that. We have to  
7 continue that trend that we've set here and we have to  
8 make sure that the folks on election day that are the  
9 same in my community and in your community. We have to  
10 make sure that the training is there to make sure that  
11 every vote does count.

12  
13 REP. COLEMAN: Mr. Speaker?

14 SPEAKER: Mr. Coleman, for what purpose?

15 REP. COLEMAN: Yes, does the gentleman  
16 yield for a question?

17 SPEAKER: Mr. Veasey, do you yield?

18 REP. VEASEY: The gentleman yields.

19 SPEAKER: The gentleman yields.

20 REP. COLEMAN: Thank you very much.

21 Mr. Veasey, in the discussion that was just going on  
22 about the use of provisional ballots and those ballots  
23 counting, and then the election occurs, and then will  
24 that person feel compelled to drive down with their  
25 driver's license to the county administrator after



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008686

TX\_00211429

123

1 Tuesday at 7:00 to verify their note?

2 REP. VEASEY: I don't think that person  
3 is going to feel compelled at all to drive down there.  
4 I don't think that person is going to feel compelled at  
5 all to get back on that bus. I don't feel that person  
6 is going to feel compelled at all to figure out a way  
7 how to get handicap assistance back.

8 I know in Fort Worth, it's really hard to get,  
9 we call it "Nit," and basically what it is is that  
10 they'll take people that are handicapped to do things  
11 like go and vote or to go and get the assistance that  
12 they need to live every day, and I don't think that  
13 person that's in that "Nit" car or that are handicapped,  
14 I don't think they're going to come back within five  
15 days. I know they're not because I work with them.  
16 I've been working with them since 1998.

17 REP. COLEMAN: And have you ever heard of  
18 such a thing, that you can come after the fact and show  
19 an ID, that now your vote can be invalid even if you  
20 walked into the polling place with your voter  
21 registration, your precinct judge knows you, your name  
22 is on the list, you sign, you put your vote in the  
23 provisional ballot envelope but you have to then go  
24 somewhere else, as you said, by bus, train, plane,  
25 automobile, however, walk, wheelchair, to actually have



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008687

TX\_00211430

124

1 your vote counted based on a picture ID or two other  
2 forms of paper identification that are required.

3 REP. VEASEY: I've never heard of that,  
4 and I've especially never heard of that in the United  
5 States of America.

6 REP. COLEMAN: Well, I just keep bringing  
7 that up because that ought to sound strange to folks  
8 that the document that is the main document, the voter  
9 registration card, would not be good enough for you to  
10 cast your vote. Thanks for your amendment.

11 REP. VEASEY: Voting in Texas has been  
12 easy and voting in Texas has been easy since 1965 for a  
13 reason, and we need to keep it that way.

14 SPEAKER: Mr. Veasey sends up a  
15 amendment. Ms. Denny moves to table. All those in  
16 favor, vote "I," all those opposed, vote "No." It's a  
17 record vote.

18 Clerk, ring the bell.

19 (Bell ringing.)

20 SPEAKER: Show Ms. Denny voting "I,"  
21 Mr. Veasey voting "No." The motion to table, members.

22 (Bell ringing.)

23 SPEAKER: Have all voted? Have all  
24 voted? There being 80 "I's," 61 "Nays," the motion to  
25 table prevails



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008688

TX\_00211431

125

1 The following amendment. The clerk will  
2 read the amendment.

3 CLERK: Amendment by Chavez.

4 SPEAKER: The Chair recognizes  
5 Ms. Chavez.

6 REP. CHAVEZ: Thank you, Mr. Speaker,  
7 members. What this amendment does is simply require  
8 each polling location to post outside a polling location  
9 the acceptable list of photo IDs and acceptable list of  
10 non-photo documentation in a 24 point font, at minimum  
11 of 24 point font, and I believe there's been an  
12 amendment to the amendment.

13 SPEAKER: The following amendment to the  
14 amendment. The Clerk will read the amendment.

15 CLERK: Amendment by Alonzo.

16 SPEAKER: The Chair recognizes  
17 Mr. Alonzo.

18 REP. ALONZO: Thank you, Mr. Speaker,  
19 members. This basically adds an amendment to the  
20 amendment that states the language in English, Spanish  
21 and any other language appropriate for the precinct,  
22 again, using 24 point font, and I think it is acceptable  
23 to the author.

24 SPEAKER: Members, Mr. Alonzo sends up an  
25 amendment to the amendment. The amendment is acceptable



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008689

TX\_00211432

126

1 to the author. Is there an objection?

2 The Chair hears none. So ordered.

3 The Chair recognizes Ms. Chavez.

4 REP. CHAVEZ: It's acceptable to the  
5 author.

6 SPEAKER: Members, Ms. Chavez sends up  
7 the amendment. The amendment is acceptable to the  
8 author. Is there an objection?

9 The Chair hears none. The amendment is  
10 adopted..

11 The following amendment. The clerk will read  
12 the amendment.

13 CLERK: Amendment by Hopson.

14 SPEAKER: Mr. Hopson. The Chair  
15 recognizes Mr. Hopson.

16 REP. HOPSON: Mr. Speaker, members, this  
17 amendment says if you are a voter who presents a  
18 registered, a voter's registration certificate, you're  
19 on the list of registered voters with the precinct and  
20 you confirmed the address of the list of registered  
21 voters as current, then the elected official, if they  
22 ask for an ID, they cannot consider the voter's address  
23 on the ID form. And I believe it's acceptable to the  
24 author and I move passage.

25 SPEAKER: Mr. Hopson sends up an



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008690

TX\_00211433

127

1 amendment. The amendment is acceptable to the author.

2 Is there an objection? The Chair hears none.

3 The amendment is adopted.

4 The following amendment. The clerk will  
5 read the amendment.

6 CLERK: Amendment by Alonzo.

7 SPEAKER: The Chair recognizes  
8 Mr. Alonzo.

9 The Chair recognizes Mr. Alonzo.

10 REP. ALONZO: Thank you, Mr. Speaker,  
11 members. This just simply says that this bill has to be  
12 cleared by the Attorney General's office or, under law,  
13 they can go either way to the court, and I think it's  
14 acceptable to the author.

15 SPEAKER: Mr. Alonzo sends up a  
16 amendment. The amendment is acceptable to the author.  
17 Is there objection? The Chair hears none. The  
18 amendment is adopted.

19 The Chair recognizes Ms. Denny.

20 REP. DENNY: I move passage, members.

21 SPEAKER: Members, the question occurs on  
22 the passage and engrossment of House bill 1706. All  
23 those in favor, say "I." All opposed, "Nay." Vote "I,"  
24 vote "No," members.

25 The record vote has been requested. Record



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008691

TX\_00211434

128

1 vote is granted. The clerk will ring will bell.

2 (Bell ringing.)

3 SPEAKER: All voted. Being 83 "I's" and  
4 63 "Nay's," House bill 1706 is passed to engrossment.

5 (End of CD Section.)  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008692

TX\_00211435



129

1 IN THE COUNTY OF TRAVIS )

2 STATE OF TEXAS )

3 I, Lynne Rodriguez, Certified Shorthand Reporter in  
4 and for the State of Texas, hereby certify to the  
5 following:

6 That the CD entitled, 2005 (79R) HB 1706 HOUSE  
7 CALENDAR, 2ND READ 5/2/05" was transcribed at the  
8 request of Anne Wilson, 209 West 14th Street, Attorney  
9 General's Office, Austin, Texas 78701, and the amount  
10 due is \$\_\_\_\_\_.

11 That the aforementioned CD was transcribed  
12 to the best of my ability to hear and understand the  
13 CD;

14 That the transcript was submitted by  
15 E-trans on April 23, 2012, to Anne Wilson, 209 West  
16 14th Street, Attorney Generals' Office, Austin,  
17 Texas 78701;

18 I further certify that I am neither  
19 counsel for, related to, nor employed by any of the  
20 parties or attorneys in the action in which this  
21 proceeding was taken, and further that I am not  
22 financially or otherwise interested in the outcome  
23 of the action.

24 Certified to by me, this 27th day of  
25 April, 2012.



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008693

TX\_00211436

130

1  
2  
3  
4 *Lynne M. Rodriguez*

5 Lynne Rodriguez, Texas CSR No.

6 Expiration Date 12/31/13

7 FIRM REGISTRATION NO: 283

8 ESQUIRE DEPOSITION SERVICES

9 100congress, Suite 2000

10 Austin, Texas 78701

11 (512) 328-5557



12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23 24  
25



Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008694

TX\_00211437

<b>A</b>	21:24 22:6	94:17	13:13	72:4 101:21
<b>AARP</b>	28:9 54:24	<b>addition</b>	<b>advocates</b>	<b>airplane</b>
3:22 4:15	80:10,21,24	12:6 40:18	63:7	30:9
5:22 6:17	81:10 82:8	60:2	<b>affect</b>	<b>allegations</b>
18:13 27:4	82:11 83:9	<b>additional</b>	121:3	77:2,5
27:5 28:24	83:11 101:1	44:23	<b>affidavit</b>	<b>alleged</b>
29:1,9	101:4 102:4	<b>address</b>	6:14 12:4	13:10
31:25 43:12	102:6,15	56:18 60:3	61:10 89:25	<b>Allen</b>
<b>AARP's</b>	104:17	73:18	89:25 91:21	120:1,2,3,4
29:12 86:14	112:15	126:20,22	<b>afford</b>	120:10,16
87:17	118:18	<b>addressed</b>	6:14	120:24
<b>abilities</b>	125:9,9,22	56:11	<b>Afghanistan</b>	121:5,7,11
75:20 110:23	125:25	<b>adds</b>	66:11,12,14	<b>allow</b>
<b>ability</b>	126:4,7,23	125:19	66:15,20	41:15,21
74:25 96:7	127:1,14,16	<b>adjust</b>	67:4	45:6 72:12
103:4	<b>accepted</b>	112:22	<b>aforement...</b>	72:17
129:12	27:16 115:8	<b>administr...</b>	129:11	102:23
<b>able</b>	119:8,16	84:11 87:3	<b>afraid</b>	107:17
4:1,7 12:20	120:5 121:8	88:23	55:9 98:16	111:2
18:4 19:14	<b>access</b>	100:21,23	<b>Africa</b>	<b>allowable</b>
20:5 37:5	37:22 99:8	122:25	69:9	56:13
39:25 46:15	<b>accessibi...</b>	<b>administr...</b>	<b>African</b>	<b>allowed</b>
59:14 64:7	15:25 16:6	94:8	69:22	11:20 14:4,5
111:11,15	<b>accessible</b>	<b>administr...</b>	<b>afternoon</b>	28:4 40:17
117:13	14:13	86:7	2:21,22	69:19 71:14
<b>absentee</b>	<b>accurate</b>	<b>admission</b>	<b>age</b>	73:19 81:24
11:15 15:19	7:25 60:14	75:7	4:25 6:4	96:24
45:14 94:4	<b>accustomed</b>	<b>Admit</b>	27:3 31:21	<b>allows</b>
<b>absolutely</b>	25:2	100:7	32:5 59:13	31:20 55:12
11:21 13:19	<b>acknowledge</b>	<b>adopt</b>	<b>agency</b>	59:12 72:11
20:3 29:20	106:5	75:11 76:4	8:12 80:19	112:15
44:7,10,15	<b>act</b>	<b>adopted</b>	<b>ago</b>	<b>Alonzo</b>
58:6 70:3	12:22 13:15	81:1 82:13	15:24 21:20	125:15,17,18
72:21 78:16	13:22 23:11	83:13 101:6	49:3,14	125:24
78:24	74:20,21,23	126:10	81:11	127:6,8,9
103:22,25	74:24 75:10	127:3,18	113:19	127:10,15
104:11	122:5	<b>adoption</b>	<b>agree</b>	<b>alternate</b>
<b>abused</b>	<b>action</b>	70:6 80:25	6:10 13:20	18:7
98:22,24	70:15 100:10	82:12 83:12	14:2,7 23:8	<b>amended</b>
<b>accept</b>	105:3	106:22	34:4,7,9	113:14
27:17 28:11	129:20,23	107:12	35:6,16	119:15
71:11 73:6	<b>actors</b>	113:3	36:25 38:11	<b>amendment</b>
92:22 102:2	78:19	<b>advantage</b>	39:11 43:2	27:8 28:7,11
102:8,21	<b>add</b>	4:1	54:19 98:20	28:17 31:13
118:20	28:12 97:10	<b>adverse</b>	109:24	31:14,16,20
119:18,22	<b>added</b>	38:13	110:16,17	32:7,24,25
<b>acceptable</b>	90:12	<b>advocate</b>	112:3	33:5,8,11
12:17 21:15	<b>adding</b>		<b>ahead</b>	33:18,22



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

34:16 35:3	125:13,14	88:3 103:8	18:3 57:4	42:21
39:9 41:14	125:14,15	103:11,14	85:4 91:23	<b>aspect</b>
41:20 43:1	125:19,20	103:19,23	<b>apparent</b>	91:14
59:4,12	125:25,25	104:3,6,9	44:20	<b>aspects</b>
62:1,10,11	125:25	104:14	<b>appears</b>	34:2
62:12 65:10	126:7,7,9	105:25	7:2 38:4	<b>assistance</b>
65:18 67:11	126:11,12	106:2,3	<b>applied</b>	5:15 6:14
67:20,24	126:13,17	107:1,3,6	37:16	26:4 123:7
68:4,6 70:7	127:1,1,3,4	107:11	<b>applies</b>	123:11
70:18 74:7	127:5,6,16	109:1,4,12	15:14	<b>Association</b>
74:16,24	127:16,18	109:15,20	<b>apply</b>	80:5
75:12 76:4	<b>amendments</b>	109:24	15:19 72:14	<b>assume</b>
79:9,11,24	31:14 83:11	110:2,8,11	<b>appreciate</b>	12:14 34:11
79:25 80:11	102:6	110:16,24	20:10 30:21	<b>assuming</b>
80:12,13,24	<b>America</b>	111:11,14	46:15 82:8	23:16 29:6
80:24 81:1	12:22 13:14	111:19,22	110:24,24	35:24 36:1
81:2,3,4	13:21 74:19	112:1,3,12	<b>appreciated</b>	36:3 37:25
82:11,11,13	74:21,23,24	112:13	21:4	56:8,9,19
82:14,15,16	75:10 124:5	113:4,18	<b>appropriate</b>	56:20
82:25 83:5	<b>Americans</b>	<b>Anchia's</b>	6:5 99:1	<b>assumption</b>
83:11,13,14	23:19 25:6	108:1	125:21	36:18
83:15,16,20	50:12 88:8	<b>and/or</b>	<b>appropria...</b>	<b>assumptions</b>
88:17 90:8	88:10	98:25	98:16	36:15
90:8,19,24	<b>amount</b>	<b>anecdotally</b>	<b>appropria...</b>	<b>assure</b>
91:4,9,13	16:3 106:11	11:5	16:22	57:9
91:24 92:23	110:6	<b>anecdotes</b>	<b>April</b>	<b>ate</b>
95:2,6,16	115:13	63:13	129:15,25	24:15
96:6,11,17	129:9	<b>Anne</b>	<b>area</b>	<b>attempting</b>
97:13 99:11	<b>ample</b>	129:8,15	2:24 40:15	40:3
100:12,13	111:3,12	<b>announce</b>	99:2	<b>Attorney</b>
100:14,18	<b>Anchia</b>	120:11	<b>armed</b>	97:24 127:12
100:18	62:12,14,15	<b>announces</b>	32:2	129:8,16
101:4,4,6,7	66:4 67:10	99:20	<b>arrived</b>	<b>attorneys</b>
101:8,9,13	67:17,24	<b>answer</b>	76:20	129:20
102:1,8,9	68:9 69:6	2:16 44:23	<b>aside</b>	<b>Aubrey</b>
103:15,16	69:12,17,21	<b>answered</b>	104:12	80:5
103:23	70:3,6,20	16:7 67:1	<b>asked</b>	<b>audited</b>
105:8,11,23	74:11,12	<b>answering</b>	15:23 18:18	11:11
105:24,25	76:4,7,11	17:7	24:10,11,16	<b>Austin</b>
106:4 108:1	76:14,17,22	<b>anti-disc...</b>	40:19 63:16	71:13,14,16
113:5,12,13	77:10,13,16	32:3	63:18 69:15	129:9,16
113:18	77:20,24	<b>anybody</b>	95:10 98:3	130:7
116:6	78:4,7,16	57:25 64:8	<b>asking</b>	<b>authentic...</b>
118:19	78:24 79:1	69:24	9:23 46:9	82:7
119:24	79:4,10,20	101:23	47:6 50:13	<b>authentic...</b>
121:14	85:5,7,9,13	<b>anybody's</b>	106:12	82:24 83:7
124:10,15	86:9,13	34:23	<b>asks</b>	<b>author</b>
125:1,2,3,7	87:5,8,16	<b>anyway</b>		
125:12,12				



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

80:10,21,24	57:5 64:2,3	10:12,17	19:14 20:6	55:18 98:13
82:8,11	97:12 98:13	11:6 14:19	21:16 27:2	<b>better</b>
83:9,11	102:22	15:20 16:1	27:4 29:12	115:24
101:2,4	117:14,16	35:10 64:10	38:8 40:9	<b>Bexar</b>
112:15	118:12,12	64:12,15	40:13,22,23	80:4
125:23	119:24	65:8 88:5	49:16 50:25	<b>beyond</b>
126:1,5,8	123:5,7,14	88:21,22	51:1,5,10	12:9 13:21
126:24	<b>backing</b>	99:8 101:15	51:12 52:5	<b>big</b>
127:1,14,16	55:6	102:23	52:8 60:5,9	50:1,2 53:15
<b>authorities</b>	<b>bad</b>	103:2,3	72:16 91:3	53:16 71:2
90:10	3:11 66:22	104:2,10	101:20	117:4,10,11
<b>authority</b>	68:3 78:8	116:16	111:21	<b>bigger</b>
90:9 96:7,25	78:19	118:2 120:9	121:9	54:2,2
97:1,17	121:19	120:22	125:11	<b>biggest</b>
98:21,24	<b>balance</b>	121:1,8	126:23	7:21 48:1
<b>authorizes</b>	60:14 104:1	122:22,22	<b>believed</b>	<b>bill</b>
100:23	<b>ballot</b>	<b>bank</b>	102:24	2:5,10,13
<b>automobile</b>	4:22 7:5,8,9	56:16	<b>bell</b>	3:23 4:2,16
123:25	7:17 8:11	<b>banking</b>	62:4,5,7	6:12,17 7:1
<b>available</b>	8:11,14,21	5:4	79:16,17,19	7:7,8 8:7,9
5:17 6:18	8:23,25,25	<b>barrio</b>	79:21 99:14	8:9 9:20
12:18 20:1	9:4 14:21	54:18 55:5,7	99:15	13:2,8,20
37:22 61:14	14:22 16:10	<b>base</b>	105:14,15	15:14 16:13
68:10 71:21	27:24 28:14	10:23	105:18,20	16:15 19:3
<b>aware</b>	44:9 45:14	<b>based</b>	113:8,9	19:23 20:5
3:1,20 5:19	57:22 64:8	6:5 76:21	124:18,19	21:7 24:24
10:24 11:4	65:5 84:8,9	88:22 90:15	124:22	26:24 27:15
11:15,16	86:3,4	96:8 124:1	128:1,2	28:7 29:18
12:21,25	88:19 90:9	<b>basically</b>	<b>benefit</b>	29:24 30:18
13:14,18	90:10,13,15	101:16	80:20	32:21 33:7
15:8 22:14	91:1,14	113:19	<b>benefits</b>	33:24 34:5
29:1,3	92:11,11	123:9	12:12,15	34:10,12,19
39:18,21	93:25 94:3	125:19	22:8 23:6	35:10,13,15
40:11 47:9	94:6 96:7,8	<b>basis</b>	24:2,22	36:11,15
47:25 77:17	96:12,25	44:5 93:8	<b>Berman</b>	38:4,5,11
77:20,21,25	97:22,23	96:12	4:23 5:18	39:6,8 41:4
78:4,7,13	101:14,17	<b>bath</b>	<b>Bernham</b>	43:4,25
<b>B</b>	101:19,24	59:12	28:24	45:11,21
<b>B</b>	104:13,22	<b>battle</b>	<b>best</b>	50:21,24
97:6 115:7	116:22	47:19	44:3,12	51:14 55:6
<b>baby</b>	117:23	<b>bearing</b>	76:24	56:15 60:8
59:11	119:1,8,16	17:21	103:15,16	62:18,21,25
<b>back</b>	120:4	<b>beginning</b>	110:23	64:6 65:14
8:24 15:19	123:23	39:3	114:6	66:13 70:21
23:2 25:22	<b>balloting</b>	<b>belief</b>	129:12	71:22 72:8
26:1 33:2	116:19 121:2	50:20,20	<b>bet</b>	72:11,11,14
41:2 49:13	<b>ballots</b>	<b>believe</b>	13:6 29:4,8	73:1 74:14
	7:15 10:10	11:19 17:18	29:10 47:21	75:5,9,14



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquireolutions.com

75:22 76:16	3:8,14 8:12	<b>brought</b>	81:15	<b>carries</b>
76:17 77:18	8:13 9:4	19:21 27:22	<b>campaign</b>	21:1 36:15
77:22 78:1	21:1 42:24	67:19 88:17	24:6 81:15	36:16
79:5 81:22	101:15,19	95:2,16	109:25	<b>carry</b>
82:3 84:18	102:17,19	<b>brown</b>	<b>capacity</b>	23:16,17
84:18 85:1	103:3	17:10,12,15	18:12	52:6,9,10
85:1,1,1,19	119:18	17:19,20	<b>car</b>	54:8,14,17
87:2,2	<b>body</b>	18:11,23	30:10 123:13	85:2 93:18
89:14 90:25	68:5 79:2	19:3,6	<b>card</b>	<b>carrying</b>
91:2 93:2	111:1	50:24	7:6,14 12:16	84:17 87:1
94:22,22	<b>Bond</b>	<b>budget</b>	12:19 21:7	94:21 95:20
95:18,21,21	13:10,10	111:9	21:10,13,14	<b>case</b>
95:21,21	<b>borne</b>	<b>build</b>	22:3,8 23:6	3:7,7 4:24
96:8,14,16	110:15	65:18	23:16 24:8	11:12 16:18
96:23 97:1	<b>bothered</b>	<b>building</b>	24:12,13,15	60:22 61:5
97:16 98:17	3:3	118:21	24:23 30:3	61:13 63:22
101:13,21	<b>bothering</b>	<b>bunch</b>	31:21 37:20	101:21
103:5,15	3:13,15	98:14	39:21 40:17	107:21
105:7	<b>bottom</b>	<b>burden</b>	40:19 55:13	<b>cases</b>
106:21	97:11,13	42:2 43:3,6	55:13,13,17	10:3 11:11
107:4,8,16	<b>box</b>	43:10,10	55:19,21	<b>cast</b>
108:12,14	7:5 57:22	44:23 45:2	56:9 59:14	18:4 19:18
108:24	58:1	66:17	64:5 68:18	19:19 35:10
109:5,7,9	<b>boys</b>	<b>BURNAM</b>	84:1,2,4,16	64:7,15,15
109:16	50:2	2:17,21,23	86:5,25	65:5 68:20
111:23	<b>bragging</b>	3:6,11,20	87:15 88:1	94:1,3,5,13
112:5,7,24	17:23	4:4,14 5:5	88:14 89:6	107:17
113:1,24	<b>brainer</b>	5:8,19 6:16	89:14,20	116:16,22
115:6,9,18	104:14	<b>bus</b>	91:20,22	117:23
116:15,20	<b>Branch</b>	117:15	92:10 93:12	118:1,2,25
119:12	43:18,22	118:12	93:23 94:19	124:10
127:11,22	44:7,8,11	123:5,24	95:13,15	<b>Casteel</b>
128:4	44:19 45:1	<b>business</b>	100:19,25	57:16,20,24
<b>billfold</b>	45:6,10,13	25:13	103:6	58:3,7,8,11
25:25	45:16,21,25	<b>buy</b>	112:20	58:16,20,23
<b>bills</b>	46:3,8,14	23:1 50:2,2	118:9,9,11	59:1,3
17:4 98:19	46:21,22	<b>byproduct</b>	124:9	60:21
<b>birth</b>	47:6	62:25 65:6	<b>cards</b>	<b>casting</b>
4:19 51:22	<b>Braunfels</b>		4:21 8:5	4:21 10:1,10
53:2,3	58:13	<b>C</b>	10:11 17:25	10:12,16
54:17,21	<b>bring</b>	<b>CALENDAR</b>	24:16,17	11:6 101:24
60:3	62:23 84:13	1:7 129:7	29:19 39:17	<b>catch</b>
<b>bit</b>	<b>bringing</b>	<b>California</b>	118:1	117:15
27:10 84:23	124:6	23:21	<b>care</b>	118:12
113:2	<b>broad</b>	<b>call</b>	18:5 94:15	<b>category</b>
<b>black</b>	102:7	45:22 123:9	104:19	90:17
50:12,23	<b>brothers</b>	<b>called</b>	<b>carried</b>	<b>cause</b>
<b>board</b>	50:12,23		98:16	60:11



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

<b>causing</b> 65:9	59:7 62:13 70:17 74:11	74:2 87:12	<b>choose</b> 45:13	<b>clearly</b> 84:20 95:14
<b>CD</b> 128:5 129:6 129:11,13	76:15 77:7 80:14 81:5 82:17 83:17 91:8,25 95:7 99:20	<b>changed</b> 60:9 72:5 109:9 114:13 120:25	<b>Christian</b> 114:23	115:8
<b>center</b> 22:5 24:22	<b>central</b> 8:12 9:3 84:14	<b>changes</b> 2:15	<b>church</b> 85:20 86:18	<b>clerk</b> 2:1 31:13,16 62:4,10,12 79:16,24 80:12,13 81:2,4 82:14,16 83:14,16 84:3 99:13 99:22 100:13,14 100:21,24 101:7,9 105:13,23 105:25 113:7,12,14 124:18 125:1,3,14 125:15 126:11,13 127:4,6 128:1
<b>certain</b> 111:10	<b>certainly</b> 3:5 6:24 9:17 12:16 12:20 15:1 15:6 17:13 19:10,20 20:1 28:21 29:20 40:13 40:23,24 43:11,20 47:11 48:10 49:17 71:9	<b>charge</b> 6:13,15 12:19,19 37:22 45:23 46:5	<b>cite</b> 10:6	
<b>certificate</b> 51:22 53:2,2 53:3,9,13 53:23 54:6 54:7,15,17 54:21 60:23 62:24 64:23 65:11,20 85:23 86:19 106:17 126:18	<b>chairman</b> 39:2,5,16 43:22 47:4 57:20 58:11 80:6 85:13 119:7	<b>Chavez</b> 20:14,17,20 21:3,13,17 21:18,23 22:2,9,14 22:18,24 23:3,8,18 25:16,19,21 26:7,17 27:2,8,14 27:19,22 28:1,6,12 28:18 31:16 31:18,19 41:21 59:7 59:8,18,21 60:17,25 61:4,8,12 61:17,20,23 61:25 92:23 118:18 125:3,5,6 126:3,4,6	<b>citizen</b> 25:9 46:10	
<b>certificates</b> 4:19 21:19	<b>chairwoman</b> 2:21 6:25 21:4 59:9 62:17 74:13 75:3,14,22 81:8 82:20 83:25 86:13 93:1 95:2 95:10	<b>Chavez's</b> 20:23 32:25 33:5,8 34:15	<b>citizenry</b> 46:13	
<b>certifica...</b> 120:14	<b>Chairwoman's</b> 65:14	<b>check</b> 23:7 56:16	<b>citizens</b> 3:3 4:6 5:25 6:8 18:8,10 22:15 24:3 25:6,8 26:8 34:17 37:18 39:18 44:4 44:17 48:1 48:2 60:7 121:20	
<b>certified</b> 8:14 54:20 120:14 129:3,24	<b>challenge</b> 97:22,23	<b>checks</b> 5:16	<b>citizenship</b> 21:19 26:14 51:19,20 53:1,1 54:23 60:3	<b>clerks</b> 18:8 115:15
<b>certify</b> 129:4,18	<b>challenged</b> 27:21 87:21	<b>Chicanos</b> 50:12	<b>city</b> 3:1,8 5:6,12	<b>clerk's</b> 92:12 94:20
<b>chair</b> 2:3 31:17 32:6 52:10	<b>change</b> 59:1 60:11 67:20 70:23 70:25 72:13		<b>civic</b> 44:13	<b>clinic</b> 30:6
			<b>clarify</b> 22:2	<b>clock</b> 75:5
			<b>class</b> 23:22 25:7 99:7	<b>close</b> 59:7 66:4 74:11 95:8 112:12 121:16
			<b>clean</b> 50:6,10,20 57:6	<b>closely</b> 110:5
			<b>clear</b> 72:1 74:1 86:24 92:6 103:15	<b>Coleman</b> 6:21,22,24 6:25 7:12 7:19,25 8:6 8:20 9:1,5 9:8 10:9 83:16,18,19 85:6,10,11
			<b>cleared</b> 127:12	



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com



85:14,25	25:3 94:16	50:10	<b>copied</b>	94:25 95:17
86:1,11,23	102:25	<b>concerned</b>	54:16,16	95:18 105:1
87:6,10,19	120:20	3:17 32:16	<b>copy</b>	111:24
88:6 89:2,3	<b>commissio...</b>	41:4 44:5,9	54:5,7,21	116:17
89:5,11	100:22	50:13	119:14	117:13
90:4,12	<b>commit</b>	<b>conduct</b>	<b>correct</b>	118:4,15
91:3 92:5	75:15	25:13	7:9,10 8:16	122:11
92:15 93:1	<b>commitments</b>	<b>conducting</b>	12:10 15:10	<b>counted</b>
93:6,17,20	109:21	14:3	15:13,16	28:5 35:11
94:1,2,7,14	<b>committed</b>	<b>confirmed</b>	30:5 34:12	64:11,13
95:1,5,7,9	101:20	126:20	36:19 38:1	65:8 68:21
95:25 96:2	102:24	<b>confused</b>	41:17,25	86:4 88:5
96:3,5,9,15	<b>committee</b>	93:4 98:18	45:4,15,20	114:8
96:19 97:3	8:2 10:2	<b>confusing</b>	45:24 46:2	120:22
97:10,19	35:13 63:4	90:18	46:6 50:7	121:8 124:1
98:23 99:10	63:5,10	<b>confusion</b>	57:23 58:5	<b>counties</b>
99:17	76:10,13,14	60:11 114:18	58:6 60:24	17:16 111:15
122:13,14	78:19	<b>connection</b>	60:25 61:7	114:15
122:15	<b>committees</b>	74:19	61:8,12,17	116:2,4
123:17	115:22	<b>consent</b>	69:11 72:20	117:3,10
124:6	<b>committing</b>	31:12 52:18	72:21 73:2	<b>counting</b>
<b>Coleman's</b>	42:10	<b>consider</b>	74:4 86:23	9:3 31:15
91:12	<b>common</b>	23:10 83:7	94:4 96:15	90:9 96:7
<b>colleague</b>	105:8	126:22	96:19	97:1 122:23
67:18 107:2	<b>communities</b>	<b>considera...</b>	103:17	<b>country</b>
<b>college</b>	32:4 85:17	60:6	109:17	25:1 56:21
26:12 73:24	<b>community</b>	<b>consistent</b>	111:21	67:7 89:8
81:16	3:9 4:9	74:19 75:9	119:10,11	<b>counts</b>
<b>color</b>	108:23	75:10	119:21	8:21,23
47:10 98:1	114:10	<b>consolidates</b>	120:13,15	88:19
<b>come</b>	122:9,9	93:3	121:11	<b>county</b>
8:7 15:19	<b>compelled</b>	<b>contain</b>	<b>correctly</b>	50:4 60:4
23:2 28:7	122:24 123:3	21:19	28:24 35:4	80:4 84:10
33:2 63:17	123:4,6	<b>contains</b>	<b>correspond</b>	85:18 88:22
64:22 87:12	<b>complicated</b>	21:8 100:20	104:25	89:8 92:12
102:5,21	113:21	<b>contest</b>	<b>cost</b>	94:20 99:1
106:15	<b>comply</b>	7:20 76:20	12:2 29:19	100:21,21
114:12	41:22 75:6,8	<b>continue</b>	29:23 49:13	100:22,23
121:24	<b>component</b>	107:17 122:7	104:1	100:24
123:14,18	13:9	<b>contrary</b>	110:12,14	110:15
<b>comes</b>	<b>comprehen...</b>	77:14	<b>counsel</b>	115:14,21
15:25 28:15	11:3	<b>controls</b>	97:5 129:19	116:25
64:3,3	<b>computer</b>	103:20	<b>count</b>	117:1,3
116:20	37:19,21	<b>convenience</b>	8:18,24	121:6
<b>comfortable</b>	<b>concern</b>	4:3	82:24 87:4	122:25
117:24 118:4	4:22 44:1,20	<b>conversation</b>	87:15 88:12	129:1
118:13	44:21 48:1	21:5	88:22 90:13	<b>couple</b>
<b>coming</b>			92:12 94:23	2:24 10:6



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquireolutions.com



21:6 112:18	120:8	<b>dealing</b>	5:5,7,13,19	38:18,19,25
<b>course</b>	<b>cycle</b>	46:12	6:9,20,24	39:2,5,12
14:21 26:16	88:4 106:14	<b>deals</b>	7:1,10,16	39:16,22
47:14 49:8	112:16	7:1	7:24 8:16	40:8,12,23
51:11 71:17	114:3	<b>dear</b>	8:22 9:3,7	41:1,6,12
71:23 81:12		51:7	9:9,10,17	41:15,18,25
<b>court</b>	<b>D</b>	<b>debate</b>	9:19,22	43:1,5,9,16
63:22 100:22	<b>DA</b>	47:8 65:21	10:4,8,24	43:17,20
127:13	98:1	<b>debated</b>	11:2,16,21	44:7,10,15
<b>coverage</b>	<b>daily</b>	12:23	11:24 12:3	44:25 45:5
93:16	93:7	<b>decent</b>	12:10,25	45:8,11,15
<b>covered</b>	<b>damage</b>	115:16	13:3,6,19	45:20,24
22:13	112:24	<b>decided</b>	13:23 14:6	46:2,6,11
<b>Crabb</b>	<b>data</b>	24:4	14:14 15:1	46:20,23
42:12 52:12	10:23	<b>dedicated</b>	15:11,13,16	47:2,5,11
<b>create</b>	<b>date</b>	32:1	15:21 16:7	47:14,17,21
7:14 117:17	60:3 130:5	<b>defeats</b>	16:17,24	48:4,10,12
<b>created</b>	<b>day</b>	33:6	17:9,13,18	48:13,16,18
23:21 90:17	4:25 5:9 6:4	<b>definitely</b>	18:9,22,25	48:20,23
95:12	7:22 15:3	22:24 24:24	19:5,10,13	49:1,4,7,11
<b>creates</b>	17:24 18:18	<b>defraud</b>	19:16,20,25	49:17,20,25
42:2	30:3 36:9	46:16	20:4,9 21:4	50:8,15
<b>creating</b>	37:17 45:4	<b>delay</b>	21:11,16,22	51:1,11,15
113:21	67:22 68:15	106:21	22:1,7,11	51:20,22,25
<b>crimes</b>	70:1,4	107:16,22	22:17,23	52:4,7 53:4
42:10	84:20 95:25	<b>delaying</b>	23:3,12	53:7,10,14
<b>crinkled</b>	97:17	107:7	25:5,18,20	53:16,18,20
64:24	108:10	<b>Delgado</b>	26:6,16,22	53:24 54:3
<b>criteria</b>	120:5 122:8	80:6	27:7,14,20	54:10,12,13
96:8	123:12	<b>democracy</b>	27:24 28:3	54:20 55:2
<b>crooked</b>	129:24	46:18 47:7	28:10,16,21	55:11,18,22
57:9	<b>days</b>	66:18,18,22	28:23 29:2	55:25 56:4
<b>CSR</b>	8:13 49:13	67:5 88:9	29:6,10,15	56:6,10,15
1:17 130:4	84:13 86:11	<b>demographic</b>	29:17,20,25	56:25 57:3
<b>curious</b>	87:4 92:14	81:18	30:1,5,8,13	57:10,11,13
67:20 93:20	92:15	<b>demonstra...</b>	30:17,19,20	57:18,20,23
<b>current</b>	102:18	13:16	32:6,12,14	58:2,6,10
2:13 10:19	116:21	<b>denied</b>	32:15,23	58:15,19,22
36:17 60:21	119:10	47:10 96:12	33:3,5,10	58:25 59:3
61:20 73:13	120:8	<b>Denning's</b>	33:13,20,22	59:6,10
73:14 92:16	123:15	66:13 74:13	33:23,25	60:21 62:1
96:18 97:12	<b>dead</b>	75:14,22	34:3,6,9,13	62:6,17
126:21	10:15,16,20	<b>Denny</b>	34:22 35:2	70:17,19
<b>currently</b>	11:5,9,12	2:1,3,4,19	35:5,8,17	71:15,20,25
59:21 61:1	11:13 77:3	2:22 3:4,10	35:22 36:1	72:6,9,21
109:21	<b>deal</b>	3:19,20,24	36:6,10,12	73:2,9,12
115:14	46:13 68:1	4:12,14,23	37:1,7,10	73:21 74:4
	103:24		37:11,14,21	74:6,10
			38:2,8,16	79:11,18



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

80:3 81:8	80:18 107:5	81:20	<b>disenfran...</b>	118:25
82:20 83:25	107:9,18	<b>disabilities</b>	78:12	<b>Doorkeeper</b>
84:21 91:8	<b>deposit</b>	63:7	<b>disparately</b>	70:8,13
91:10 92:1	85:3	<b>disabled</b>	111:7	99:25 100:1
92:4,14,18	<b>DEPOSITION</b>	4:18 38:1,6	<b>dissension</b>	100:2,3,5
93:1,5,14	130:6	63:3 79:8	108:23	<b>doubt</b>
93:24 94:5	<b>deputies</b>	<b>disagree</b>	<b>distance</b>	5:9,10 39:3
94:11,24	80:9	6:9 27:7	23:1 117:8	41:2
95:2,5,10	<b>Deputy</b>	34:1,3,11	<b>distinction</b>	<b>downtown</b>
98:17 99:11	80:4	34:22 38:16	34:20	94:19
99:16	<b>describing</b>	120:19	<b>district</b>	<b>DPS</b>
101:25	14:11	<b>disappoin...</b>	3:1,16 4:5,5	6:11 11:25
102:2	<b>desire</b>	112:14	22:20 26:12	12:8 19:24
104:18	50:19,19	<b>discerning</b>	27:12 64:18	29:18 37:15
105:11,16	<b>determine</b>	75:20	97:20,24	37:20 39:17
107:14,15	8:20	<b>disciplined</b>	114:23	98:6
107:25	<b>determined</b>	44:3	<b>districts</b>	<b>dressed</b>
108:5,9,13	9:12	<b>discourage</b>	99:6	45:18
108:15,17	<b>determines</b>	38:13 40:5	<b>division</b>	<b>drive</b>
108:20	9:2 115:15	<b>discouraged</b>	20:22,24	5:24 26:19
109:2,11,13	<b>deterrent</b>	60:10	42:22,23	64:19 85:18
109:18,22	23:24	<b>discretion</b>	62:2 79:12	122:24
110:1,6,10	<b>died</b>	98:21,24	<b>doctor</b>	123:3
110:14,21	47:12	<b>discussed</b>	6:2	<b>driven</b>
111:8,18,21	<b>differences</b>	28:1 60:21	<b>document</b>	22:16
111:25	2:12	93:17	14:10 54:8	<b>driver's</b>
112:6 113:5	<b>different</b>	<b>discussing</b>	75:21,21	4:20 6:1,12
115:2,4	2:13 8:4,5	63:13	124:8,8	22:15,25
116:10,12	11:18 17:25	<b>discussion</b>	<b>documenta...</b>	30:4,7,10
116:13,18	18:20 41:23	65:22 81:10	8:3 21:25	30:11 32:22
117:2,7,10	83:3 107:21	83:25	91:16	59:22 64:4
117:19	<b>difficult</b>	102:14	125:10	68:8 70:23
118:5,16,25	4:25 18:15	122:21	<b>documents</b>	70:24 71:19
119:5,7,11	39:23 40:12	<b>disenfran...</b>	4:19 25:24	72:3 88:18
119:19,21	75:6,8	107:10	26:21 28:9	89:15,19
119:25	117:19	<b>disenfran...</b>	56:17 75:16	93:21 94:21
120:2,7,13	<b>difficulty</b>	63:1,24 65:9	75:17	122:25
120:19	40:7	81:21 87:18	102:18	<b>driving</b>
121:2,6,9	<b>digits</b>	94:12	<b>doing</b>	98:6
121:13	59:24	106:20	9:6 18:2	<b>drop</b>
124:15,20	<b>diligently</b>	111:4,20	29:23 43:8	85:21
127:19,20	42:8	112:1,9	50:21 65:12	<b>dropped</b>
<b>Denny's</b>	<b>direct</b>	114:7	83:23 85:3	86:18
62:21	7:3 85:3	<b>disenfran...</b>	<b>dollars</b>	<b>drove</b>
<b>deny</b>	<b>directed</b>	112:4,25	110:3	24:9 30:10
96:8	70:13 100:8	<b>disenfran...</b>	<b>door</b>	68:17
<b>Department</b>	<b>direction</b>	19:19	70:11 92:24	<b>due</b>
39:20 59:23			100:6	129:10



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

<b>duty</b> 44:13 46:10 <b>DV</b> 36:23  <b>E</b> <b>ear</b> 63:22 <b>earlier</b> 28:24 83:24 108:11 111:5 <b>early</b> 4:1 8:13 15:4 37:7 45:3 <b>easier</b> 2:11 74:18 79:7,7 122:5 <b>easily</b> 11:24 <b>easy</b> 39:10,13 75:18 102:5 122:2 124:12,12 <b>educate</b> 106:19 111:12 <b>educated</b> 26:13 <b>education</b> 16:19,23 17:3 104:4 106:12,22 109:9,25 110:19 111:3,10,16 117:21 121:21 <b>effect</b> 13:25 25:10 26:24 38:13 64:17 99:5 113:24 120:18 <b>effective</b>	25:10 106:10 106:13,18 <b>effectively</b> 64:14 <b>effort</b> 17:2 117:21 <b>either</b> 3:13 29:16 45:22 65:10 72:12 73:3 84:25 127:13 <b>El</b> 26:13 <b>elderly</b> 3:25 4:17 5:6,7,11,14 22:15 25:1 25:1 27:2,3 27:5 39:10 39:13 40:3 40:7 41:5 43:12 44:1 79:8 <b>elected</b> 126:21 <b>election</b> 2:7 3:2 7:20 7:22 8:12 8:13 10:13 10:25 11:7 11:9 13:12 13:12 14:13 14:15,23,25 15:3 18:13 36:9 45:4 58:13 60:13 64:3,11,13 67:6,22 68:15 69:16 69:16 76:21 76:23 84:13 86:12 87:4 88:4,23 92:21 97:17 98:13 99:1 99:4 106:14 112:16	113:20 114:2,9 115:15,24 120:6,11,12 120:18,25 121:3 122:8 122:23 <b>elections</b> 3:8,8,14,14 3:16 8:1 14:3 16:2 18:15 50:7 50:10,20 57:6,9 66:12 69:20 69:23 81:17 100:21,23 110:4 112:18 114:3 115:17,25 117:1 <b>electoral</b> 3:18 61:2 <b>electric</b> 7:7 95:21 <b>eligible</b> 16:2 22:10 31:24 65:17 81:12 90:16 90:18 <b>eliminate</b> 105:7 <b>embarked</b> 17:1 <b>employed</b> 129:19 <b>employee</b> 21:7 <b>employer</b> 21:9,12 <b>enfranchi...</b> 63:8 <b>enfranchi...</b> 74:17 75:11 78:12 <b>engage</b> 109:8	<b>English</b> 24:11 125:20 <b>engrossment</b> 127:22 128:4 <b>enhancements</b> 78:18 <b>ensure</b> 14:4 16:8 58:4 72:18 <b>ensuring</b> 2:8 <b>enter</b> 92:24 118:21 <b>entire</b> 85:18 <b>entities</b> 55:9 <b>entitled</b> 81:12 129:6 <b>entity</b> 22:4 56:11 <b>enumerate</b> 83:3 <b>envelope</b> 8:25 23:15 123:23 <b>equivalent</b> 8:9 80:19 <b>err</b> 14:8,12 15:24 16:5 <b>Escobar</b> 100:14,16,17 101:3 <b>Escobar's</b> 56:22,23 <b>especially</b> 5:23 23:19 24:25 68:22 85:16 87:11 102:6 124:4 <b>ESQUIRE</b> 130:6 <b>essentially</b> 62:21 95:11 120:6,16 <b>established</b>	106:5 <b>ethics</b> 5:10 43:15 <b>event</b> 4:9 <b>everybody</b> 36:15,16 56:20 <b>evidence</b> 11:5 42:9 63:11,14,23 68:23,24 75:24 76:24 77:8,11,13 <b>exactly</b> 7:24 9:1,20 19:2 29:25 40:21 57:23 98:23 117:9 <b>example</b> 24:19 60:20 <b>examples</b> 10:7 102:25 <b>excessive</b> 82:22 <b>exciting</b> 13:4 <b>Excuse</b> 52:20 <b>executive</b> 115:21 <b>exempt</b> 27:6 32:4 33:6 <b>exercise</b> 96:24 <b>exercising</b> 38:15 <b>exist</b> 5:3 <b>existed</b> 77:2 <b>existing</b> 90:19 97:6 <b>expanding</b> 82:21 <b>expands</b>
---	--	---	---	---



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

74:24	87:18 93:8	15:5 104:25	<b>flames</b>	92:18,19
<b>expect</b>	98:2,24	123:6	62:19	103:6
15:18 30:15	107:10	<b>filed</b>	<b>flexible</b>	<b>form</b>
93:14,15	116:15	9:20 77:18	82:23	5:1 6:7,11
<b>expense</b>	123:18	77:22 78:2	<b>floor</b>	25:11,14
89:9	<b>fair</b>	<b>filing</b>	3:21 29:9	35:9 47:7
<b>experience</b>	20:5 115:16	5:10	108:18	61:16 65:12
2:24 4:5,11	117:7	<b>filled</b>	<b>flows</b>	65:19 69:9
13:5 44:6	<b>family</b>	97:23	98:15	72:24 93:18
<b>Expiration</b>	56:23,23	<b>finally</b>	<b>focused</b>	126:23
130:5	<b>far</b>	26:14	81:16	<b>forms</b>
<b>expired</b>	6:6 84:23	<b>financially</b>	<b>folks</b>	5:1,14,16
20:12 30:25	95:3	129:22	43:13 50:24	8:19 10:19
42:13 52:13	<b>father</b>	<b>find</b>	57:8 80:4	12:13,17
91:6	32:18,19	3:24 4:6	99:5 122:8	20:1 23:5
<b>explained</b>	<b>fault</b>	5:11 40:12	124:7	23:17 25:12
45:22	112:7,8	40:21 45:18	<b>follow</b>	26:18,22,25
<b>explanations</b>	<b>favor</b>	68:2	110:4	28:3 36:12
109:6	20:24 79:13	<b>fingers</b>	<b>following</b>	45:25 54:22
<b>extend</b>	99:12	67:21	11:8 31:13	54:24 55:25
20:23 31:8	105:12	<b>FIRM</b>	62:10 70:15	56:2,7
52:16	113:6	130:5	70:15 79:24	64:20 71:21
<b>extended</b>	124:16	<b>first</b>	80:11 81:2	71:24 73:4
20:18 21:2	127:23	13:16 15:11	82:14 83:14	73:22 82:21
42:18,22,24	<b>favoring</b>	15:12 23:19	99:21	82:22,23
52:18,24	51:14	24:25 25:5	100:10,10	83:3 84:18
65:16 66:6	<b>fear</b>	76:20 83:25	100:12	84:25 87:14
<b>extension</b>	23:22,23	98:5	101:7	92:20 102:6
31:4 42:15	55:8	<b>fiscal</b>	105:23	118:6 124:2
42:23	<b>fearful</b>	68:1 105:6,7	113:12	<b>Fort</b>
<b>extensive</b>	24:2	<b>fishing</b>	125:1,13	3:1 123:8
46:7 74:7	<b>federal</b>	55:14,16	126:11	<b>forward</b>
<b>extra</b>	26:4 35:16	56:9	127:4 129:5	6:7 104:15
67:25	<b>federally</b>	<b>five</b>	<b>font</b>	<b>fought</b>
<b>E-trans</b>	22:5,7	8:13 10:22	125:10,11,22	47:19 68:18
129:15	<b>feel</b>	18:20 84:13	<b>fonts</b>	<b>found</b>
	14:12,14,16	86:11 87:4	92:24	11:12 25:25
<b>F</b>	15:24 16:5	92:14,15	<b>food</b>	<b>foundation</b>
<b>face</b>	18:13 43:9	102:18	26:4	69:15
47:7	88:8 111:10	103:1	<b>force</b>	<b>four</b>
<b>fact</b>	117:24	116:21	4:17	7:22 18:4,20
16:1 17:23	122:24	119:9 120:5	<b>forever</b>	21:6 59:24
18:17 39:16	123:3,4,5,6	120:8	92:9	103:1
46:15 47:24	<b>fewer</b>	123:14	<b>forged</b>	<b>FQHC</b>
52:9 54:11	16:1	<b>fix</b>	75:16	22:5
54:12 60:7	<b>fighting</b>	119:24	<b>forgery</b>	<b>frame</b>
65:16 75:23	66:10,11	<b>flags</b>	75:18	86:9
77:17 78:17	<b>figure</b>	14:24	<b>forgot</b>	<b>frankly</b>



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

89:13 <b>fraud</b> 7:23 9:24 10:3 13:11 14:11 16:4 20:7 38:11 59:11 63:12 75:14,15,23 75:23,24 76:21,25 77:2,6,15 77:16 78:15 101:20 102:24 103:17,21 103:24 <b>fraudulent</b> 75:20 104:10 107:17 <b>fraudulently</b> 19:18 63:19 <b>free</b> 6:13,15 12:3 12:18,19 19:23 20:2 37:22 39:16 45:23 46:5 <b>freedom</b> 67:5 <b>frequently</b> 6:2 <b>freshman</b> 67:17 <b>Friday</b> 58:12 <b>friends</b> 4:8 <b>front</b> 41:21 74:8 95:4 117:21 117:22 <b>fully</b> 97:12 <b>fund</b> 16:23 <b>fundamental</b> 38:15 <b>funding</b>	67:25 115:23 <b>fundraising</b> 110:9,23,25 <b>funds</b> 16:25 17:2 111:12 <b>furnish</b> 4:18 65:10 <b>further</b> 35:17 75:13 86:8 87:24 107:7,22 129:18,21 <hr/> <b>G</b> <hr/> <b>gallery</b> 13:2 114:24 <b>gang-bangers</b> 98:12 <b>Garcia</b> 80:6 <b>Garnet</b> 84:4 94:1 <b>gas</b> 7:8 8:9 85:1 <b>gate</b> 98:6 <b>general</b> 106:14 <b>generally</b> 42:10 85:2 <b>Generals</b> 129:16 <b>General's</b> 127:12 129:9 <b>generation</b> 23:20 24:25 25:6 32:1 <b>gentle</b> 20:18 30:24 32:10 33:15 38:22 41:10 46:25 57:16 108:3 116:9 119:3 120:1 <b>gentleman</b> 65:25 67:14	69:3 76:5,8 85:9,12 89:1 90:5 103:11 122:15,18 122:19 <b>gentleman's</b> 52:13 91:6 <b>gentlemen</b> 80:7 89:4 90:3 106:25 <b>gentlewoman</b> 6:22 <b>Georgia</b> 11:17 77:19 78:9 <b>Georgia's</b> 11:6 <b>getting</b> 5:7,8 12:11 20:6 37:2 37:14,15 <b>ghost</b> 78:20 <b>Giddings</b> 38:20,22 39:2,14,15 39:24 40:14 40:25 41:6 46:25 47:2 47:4,12,15 47:18,23 48:5 <b>give</b> 32:4 44:18 63:4 81:8 113:1 114:16,16 114:25 117:8 <b>given</b> 5:23 6:3 19:23 32:2 115:15 <b>gives</b> 97:16 103:3 106:19 <b>glad</b>	19:20 27:22 <b>go</b> 4:7,9 8:10 8:12 12:8 14:21 23:1 23:18 24:16 25:6,25 35:17 42:4 50:2 55:9 58:12 61:6 62:18 63:25 68:13 69:15 70:22 81:11 81:23 83:2 84:2,15 86:5 87:3 87:24 89:8 92:16 93:4 94:2,19 104:1 105:4 114:2,3 117:15,23 118:1,2,11 118:12 119:9,24 121:25 123:11,11 123:23 127:13 <b>goal</b> 50:11 67:4 110:9 <b>goes</b> 13:17,21 15:22 26:24 34:15 37:7 84:23 95:3 97:11 101:14 112:17 116:20 <b>going</b> 7:5 16:14 17:24 18:1 19:15 23:9 23:10 25:3 26:20 27:11 27:12 38:12	38:13 40:7 41:1 44:22 45:16 57:4 63:1 64:21 64:23,24 65:2,3,4,6 65:8 67:2,8 68:14,15,19 72:10 75:8 81:8 83:6 85:19,21,21 85:22,25 86:1,16,18 86:18,20,21 89:7 90:23 91:11,12 92:21,22,22 92:23 93:13 94:9 95:23 96:20 98:12 99:5 101:18 102:5,15 103:1 106:6 106:7,11 114:12 117:16,16 117:21 118:1,1,4 118:15,16 118:18,19 118:20 122:21 123:3,4,6 123:14 <b>good</b> 2:21,22 3:10 30:18 39:4 41:3 48:20 58:15,22 62:16 64:9 65:13 68:21 70:4,9 75:1 82:20,23 83:23 84:12 87:22,22,23 87:24,25 88:21 89:7 89:18,19,21
--	---	---	--	---



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

101:19	45:2 89:11	1:7 2:1 4:16	79:5 80:9	<b>Hodge</b>
114:15	96:20 97:16	100:11	88:8	65:23, 24, 25
121:12		129:6	<b>helping</b>	66:4, 5, 24
124:9	<b>H</b>	<b>HCR</b>	75:2	66:25
<b>gotten</b>	<b>habit</b>	70:16	<b>herring</b>	<b>hold</b>
72:3	87:1 95:20	<b>health</b>	75:21	18:15 67:6
<b>government</b>	<b>Haggerty</b>	22:5 24:22	<b>Hey</b>	103:19
4:20 5:16	100:11	<b>hear</b>	112:19	<b>home</b>
23:22 35:19	<b>half</b>	10:2 11:5	<b>high</b>	45:7, 8
46:19 56:16	3:2	35:20 63:10	22:19, 20	<b>homeless</b>
56:17 83:1	<b>handicap</b>	63:11	<b>higher</b>	11:20, 22
83:4, 6 98:3	123:7	129:12	66:17 115:23	12:8, 14, 20
<b>governmental</b>	<b>handicapped</b>	<b>heard</b>	<b>highest</b>	<b>honestly</b>
22:4 55:8	123:10, 13	10:16 63:5, 6	46:18	102:13
56:11	<b>handout</b>	63:6, 7, 13	<b>highlight</b>	<b>honorable</b>
<b>governor</b>	2:11	63:21 76:16	65:15	39:5 41:3
77:24 107:20	<b>happen</b>	76:17, 18	<b>highlights</b>	<b>hope</b>
<b>graders</b>	37:1 41:1	77:1, 1, 2, 4	2:12	15:2 74:8
114:22	57:25 84:17	77:5 86:13	<b>hinder</b>	97:3
<b>grandchil...</b>	85:25 86:2	102:25	38:14	<b>hopefully</b>
58:13	98:9 112:2	111:5 119:8	<b>hindrance</b>	118:22
<b>granted</b>	<b>happened</b>	123:17	88:10	<b>hoping</b>
62:4 79:16	77:6	124:3, 4	<b>Historically</b>	81:9 83:8
128:1	<b>happening</b>	<b>hearing</b>	5:25	<b>Hopson</b>
<b>grave</b>	57:7	43:23 81:1	<b>history</b>	126:13, 14, 15
51:7, 8	<b>happens</b>	82:13 83:13	60:6	126:16, 25
<b>great</b>	8:8	<b>hearings</b>	<b>hit</b>	<b>hospital</b>
17:21 18:2	<b>happy</b>	8:2	89:11	24:21
40:7 67:11	2:16 66:6	<b>hears</b>	<b>Hochberg</b>	<b>hours</b>
<b>grew</b>	68:3 89:3	101:5 126:2	101:9, 11	37:17
97:25	96:1	126:9 127:2	102:11	<b>house</b>
<b>groceries</b>	<b>hard</b>	127:17	103:12, 14	1:7 2:5 13:2
23:2	9:5 40:21	<b>hearts</b>	104:15	29:9 70:11
<b>grocery</b>	44:18 47:19	65:21	105:10, 17	70:14 84:19
22:25	123:8	<b>heated</b>	119:2, 5	86:8 91:2
<b>ground</b>	<b>harder</b>	47:8	<b>HOCHBURG</b>	97:1, 16
121:4	66:13, 19	<b>heavily</b>	101:12	99:21 100:6
<b>group</b>	<b>hardship</b>	75:25	102:12	100:9
81:18 114:22	117:17	<b>Hector</b>	103:9, 13, 18	127:22
<b>groups</b>	<b>Hartnett</b>	80:6	103:22, 25	128:4 129:6
63:6, 6, 7	114:20, 21	<b>Hello</b>	104:5, 8, 11	<b>houses</b>
<b>guarantee</b>	<b>Harvard</b>	4:10 9:13	104:16	107:19
68:5 110:18	64:1, 5	<b>help</b>	118:24	<b>housing</b>
<b>guarantees</b>	<b>HAVA</b>	12:22 13:14	119:3, 7, 12	22:19, 20
110:19, 20, 21	35:13, 16	13:21 15:7	119:20, 23	<b>Houston</b>
111:1	38:5	62:17, 20	<b>Hochburg's</b>	64:2 92:7
<b>guess</b>	<b>HB</b>	74:13, 19, 21	102:8	<b>HRO</b>
		74:24 75:10		



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com



33:23 34:2 35:1,2,14 38:3 <b>huge</b> 16:19 23:21 54:1 93:18 <b>hundreds</b> 11:9 26:8 56:22 116:25 117:2 <b>hunting</b> 55:13 <b>hurdle</b> 95:3,12 <b>hurt</b> 74:23 106:6 106:7 <b>hurting</b> 66:18	54:25 56:1 56:7,7 59:22,23 60:22 64:5 65:3,17,19 66:16 68:10 68:17 71:21 71:24,25 72:11,18 73:4,4,6,7 73:13,15,16 73:22,23 82:5,6,21 82:24 83:1 83:2,3,6,21 84:6,6,13 84:15,22,24 85:24 86:2 86:7 87:1 87:25 88:13 88:19 90:14 90:15 91:1 92:9,13,20 94:18,21 95:13,14,19 98:19 101:18 102:4 104:21,21 112:21 113:21 114:18 116:21 117:22 118:3,6,7 118:17,18 123:19 124:1 126:22,23 <b>idea</b> 37:12 48:18 68:9 88:7 <b>identifiable</b> 14:25 <b>identific...</b> 2:2,6 5:3,15 5:21 12:13 16:14 21:7	22:3 25:11 26:23,25 35:9 37:20 39:17 40:17 41:16,23 58:18 64:20 65:13 82:3 84:25 87:14 90:11 93:19 96:13,17 100:19,25 101:1,24 118:11 119:9 124:2 <b>identific...</b> 18:20 <b>identified</b> 11:7 14:23 <b>identity</b> 4:20 59:14 62:25 82:7 83:7 <b>IDs</b> 19:23 22:22 36:21 46:4 56:12 82:2 125:9 <b>ID's</b> 6:3,3 8:9 32:21 <b>II</b> 34:18,20 <b>illegal</b> 54:5 <b>illegally</b> 75:17 <b>immediately</b> 11:8 106:10 <b>immigrants</b> 23:19,20 24:25 26:5 26:5 <b>impact</b> 5:22 106:21 120:16 <b>impacted</b> 111:6,8,23 112:5	<b>impacts</b> 112:8 <b>implement...</b> 107:8,16,22 122:4 <b>implemented</b> 16:13 121:18 <b>importance</b> 16:11 <b>important</b> 9:24 16:8 20:15 30:15 31:5 36:23 66:9 85:14 <b>impose</b> 4:16 6:7 <b>impressed</b> 122:3 <b>improve</b> 17:3 62:17 62:19,20 79:5 <b>Inaudible</b> 69:8 92:1 <b>incident</b> 17:16 <b>include</b> 21:9 22:5 <b>includes</b> 34:17 <b>including</b> 5:15 <b>inclusion</b> 14:8 15:24 16:5 <b>inclusive</b> 14:12 <b>inconsistent</b> 35:15,18 <b>inconvenient</b> 52:10 <b>increases</b> 113:22 <b>indelible</b> 67:21 69:10 69:23,25 <b>individuals</b>	89:7 117:25 122:1 <b>ineligible</b> 60:8 <b>infamous</b> 49:6 <b>inform</b> 70:14 100:9 <b>information</b> 6:18 24:1,5 60:2 93:11 98:15 111:20 112:19 <b>informed</b> 82:8 <b>ink</b> 67:21 69:10 69:23,25 <b>inner</b> 3:1 5:6,11 <b>insert</b> 80:17 <b>inserting</b> 80:19 <b>instances</b> 7:25 8:23 9:11,23 115:21 <b>integrity</b> 2:7 14:15 16:9 44:9 46:17 57:22 61:2 <b>intensive</b> 26:3 <b>intent</b> 38:10 59:9 70:21 74:1 74:1 87:17 87:20 <b>intention</b> 39:4 82:1 <b>intentions</b> 39:6 40:2 41:2 <b>interaction</b> 4:7
--	--	---	---	--



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

interest	94:17 98:14	jurisprud...	30:5,11	L
13:9	99:6,7	71:12	32:17 35:2	labor
interested	103:24	jurisprud...	42:1,5,9	26:3
129:22	issued	73:18	44:2 47:14	lack
interesting	6:15 12:16	Justice	49:12,18,20	63:23 98:25
10:13 75:3	20:2 21:8	107:5,9,18	49:25 50:15	ladies
76:23 89:17	21:11,14		50:15 54:5	80:7 114:5,5
internati...	22:3,8	K	54:9,19	lady
69:15	35:19 59:23	Kaufman	55:15 56:14	2:17,20 9:15
Internet	83:1,4,6	20:11 30:23	57:25 58:11	9:18 17:12
45:7 47:25	100:20,24	30:24 91:5	63:20,23	17:14 18:18
interpret	issues	keep	64:10,25	19:9,11
27:11,12	6:11 117:14	72:15 74:21	65:1,2,20	21:2 28:20
35:3	items	93:7 124:6	65:21 66:10	28:22 32:10
interpret...	60:1	124:13	66:13 67:22	32:13 33:15
27:17	Ivy	Kemple	67:24 68:5	33:19 38:22
intimidate	64:1	70:16	68:7,10,11	39:1 41:10
57:14	I's	Kerry	68:19 69:12	41:13 42:24
intimidated	62:8 79:23	24:6	69:14,18,21	43:18,21
58:24 98:11	99:19	kidding	70:20 75:19	46:25 47:3
98:14	105:21	69:9 78:25	75:19 77:6	48:11 57:16
intimidating	113:11	kids	77:6 79:2	57:19 59:16
50:22 57:8	124:24	26:13,19	84:19,20	60:16,18
intimidation	128:3	kind	89:12 90:14	71:6,10
23:11 60:12	J	4:9 86:14	90:18 91:18	108:3,6
98:10	Jackson	kinds	94:13 95:1	109:3 116:9
introduce	28:19,20,23	26:18 40:25	95:14 97:19	116:11
80:4	29:4,8,12	58:4	97:25 98:4	119:3,6
invalid	29:16,17,22	knew	98:7 103:1	120:1,3
88:22 123:19	30:1,6,9,14	18:1 25:18	104:8 108:7	lady's
invalidates	30:18,20	40:21	108:11	20:12,15,18
62:22	44:16	know	109:20	30:24 42:13
involved	job	2:23,25 3:6	110:6,22	52:16
13:7	82:20 83:23	4:4,15 6:16	112:6,8	laid
in-state	111:12	10:15,21	114:10,11	83:24
82:6	114:15	11:4,17	117:22	language
Iraq	John	12:11 13:1	119:1	80:17 88:17
66:11,12,15	24:6	14:8,20	120:20	90:13 97:8
66:15,20	joined	15:21 16:21	122:3 123:8	125:20,21
67:3,19	13:24	17:21 18:7	123:15	large
68:8,10,11	judge	18:15,17	knowing	53:18 92:24
69:16	18:17 89:24	21:18 22:25	117:25	laundry
ironic	123:21	23:13 24:17	118:13	75:17
67:2	judges	24:19,22	known	law
issue	18:7,7 27:10	25:1,16,17	18:14 110:22	2:13 7:3
20:15 29:18	27:10	25:19,20	knows	25:10 60:9
31:5 71:2	115:16	27:11 29:4	89:24 123:21	60:11,22
		29:13,15		63:22 72:10



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquireolutions.com

JA\_008708

TX\_00211451



90:19,20	64:1,1	56:12 65:16	<b>locations</b>	49:15 68:11
92:17 96:18	89:12	72:10,19	93:3	71:23 97:17
97:6,12	114:25	73:17,23	<b>logic</b>	99:5 108:22
107:20	116:23	74:7 75:17	89:21	<b>low</b>
109:9	117:5	87:5,7,11	<b>logistics</b>	115:18
112:22	<b>level</b>	87:11 91:19	95:23	<b>lower</b>
115:12	3:17 98:8	94:4 102:3	<b>long</b>	104:1
116:2 120:8	<b>liberal</b>	102:7	5:17 19:3	<b>lowest</b>
121:18,19	5:17 102:3	123:22	37:8,13	81:18
127:12	<b>library</b>	125:9,9	47:16 48:21	<b>lunch</b>
<b>laws</b>	12:19 37:23	126:19,20	48:23 49:3	24:15
23:20 32:2	37:24 55:12	<b>listen</b>	56:12 57:2	<b>Lynne</b>
35:16 78:14	<b>license</b>	85:15	71:11 89:15	1:17 129:3
78:17	4:20 6:1,12	<b>literally</b>	100:22	130:4
110:13	22:15,25	92:16	102:3	
<b>lay</b>	30:4,7,10	<b>little</b>	121:24	<b>M</b>
7:3 28:7	30:11 32:22	27:9 84:23	<b>longer</b>	<b>M</b>
<b>league</b>	55:14,16	98:2,4	10:20 27:21	1:17
64:1	56:9 59:23	113:2	73:10	<b>Madam</b>
<b>leave</b>	64:5 70:23	<b>live</b>	106:18	76:15 77:6
60:12	70:24 71:19	36:19 82:1	<b>look</b>	91:25 109:4
<b>leaves</b>	72:3 88:18	114:10	32:19,20	109:5
101:13	89:15,19	116:25	39:6,7 81:9	<b>mail</b>
<b>legal</b>	93:22 94:21	117:6,7	90:7 95:23	4:1 5:15,16
2:11 19:19	122:25	123:12	119:13,24	7:7 15:9,15
20:6 26:5,5	<b>licenses</b>	<b>lived</b>	<b>looking</b>	15:20 23:6
73:6,17	68:8	22:21	40:2 43:15	45:9 56:10
86:4 118:14	<b>life</b>	<b>lives</b>	75:4 96:5	57:3 84:18
<b>legislation</b>	23:2 24:10	32:1 42:6	103:2	<b>mailed</b>
6:6 11:23	48:15 49:10	67:3,7	<b>looks</b>	93:12
12:24 19:2	<b>light</b>	116:24	101:15	<b>mail-in</b>
26:4 32:17	84:17 85:1	<b>living</b>	<b>loosely</b>	13:16 120:9
50:17 51:4	86:14 87:2	11:14	63:13	<b>main</b>
74:3 106:8	94:22 95:20	<b>lo</b>	<b>lose</b>	124:8
107:19,22	<b>likelihood</b>	24:12	36:8	<b>maintain</b>
111:7	113:22	<b>load</b>	<b>losing</b>	14:15
<b>legislative</b>	<b>likes</b>	43:2	24:2,3 67:3	<b>maintaining</b>
17:4 97:4	43:12	<b>local</b>	67:7	16:9
<b>legitimate</b>	<b>line</b>	64:3 98:22	<b>lost</b>	<b>majority</b>
44:21	17:22 22:3	98:25 105:6	35:25 36:4	93:18
<b>legitimately</b>	27:15 40:15	105:7	36:24 91:22	<b>making</b>
68:22	40:18 71:11	<b>location</b>	94:12	50:4 74:18
<b>letter</b>	115:6	65:2 84:14	<b>lot</b>	74:22 79:6
3:22 4:15	116:15	85:17,22	2:23 13:8	79:7 102:7
86:14 87:17	119:13	91:21	16:13 32:18	<b>man</b>
<b>let's</b>	<b>list</b>	112:17	34:17 36:14	75:22
9:20 30:2	5:17 12:17	118:21	40:6 42:7	<b>manage</b>
47:7 59:11	28:4,8 46:6	125:8,8	44:2 49:15	



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

81:14 <b>mandate</b> 116:1,4 <b>marker</b> 70:1 <b>market</b> 115:16 <b>Mary</b> 66:13 108:7 <b>Massachus...</b> 64:4 70:22 70:24 71:1 71:13,19 72:3,4,12 72:14 <b>massive</b> 117:21 <b>matter</b> 93:8 98:2,23 113:25 <b>maximum</b> 115:13 <b>ma'am</b> 19:16 32:9 32:15 38:21 47:11 48:25 <b>mean</b> 5:9 27:21 33:11 35:10 42:1 45:1,6 74:14 78:22 93:6 <b>means</b> 27:16 70:20 <b>measure</b> 70:16 100:11 114:14 <b>Medicaid</b> 12:15,16 23:6,16 24:12,18,23 55:13,17 56:9 <b>medical</b> 22:8 <b>Medicare</b> 23:5 24:11 24:18 55:13	55:18,21 <b>meet</b> 11:23 73:18 90:10 <b>meeting</b> 96:13 <b>member</b> 2:11 3:21 29:1,3 31:25 48:8 <b>members</b> 2:5 5:22 20:22 27:4 27:5 28:25 29:5,9 31:11,14,19 32:8 42:23 51:3,14 59:9 61:23 62:16 63:11 70:20,22 74:13 79:4 80:3,8,17 80:17 83:20 88:16 95:10 99:3 100:18 101:12 102:2,13 104:17 105:14 106:4 112:14 113:4,17 114:22,25 115:4 121:17 124:21 125:7,19,24 126:6,16 127:11,20 127:21,24 <b>membership</b> 43:13 <b>men</b> 66:21 67:3 <b>mention</b> 116:14 <b>mentioned</b>	39:15 69:17 <b>message</b> 70:11 <b>messenger</b> 70:12 100:5 100:7,8 <b>met</b> 115:7 <b>metrics</b> 63:14 <b>Mexican</b> 23:19 50:11 <b>Mexico</b> 24:7,7 <b>miles</b> 85:18 86:8 86:17 117:1 117:3 <b>military</b> 37:10,13 <b>million</b> 5:22 27:5 28:25 <b>millions</b> 110:3,3 <b>mind</b> 74:21 <b>minds</b> 65:21 <b>minimal</b> 46:17 <b>minimize</b> 112:24 <b>minimum</b> 125:10 <b>minority</b> 32:3 51:3,13 108:12,23 <b>minute</b> 19:12 81:9 118:19 <b>minutes</b> 52:19,21 <b>Missouri</b> 13:10 <b>Missouri's</b> 13:12	<b>mistaken</b> 53:17,25 <b>Mistakes</b> 112:2 <b>misunders...</b> 2:10 <b>mobile</b> 124:21 <b>modern</b> 4:16 <b>modest</b> 46:17 <b>mom</b> 32:19,19 <b>moment</b> 15:23 81:11 83:8 85:15 <b>money</b> 49:15 50:5 68:2 109:16 109:23 110:17 111:14 113:3 115:19 118:11 <b>months</b> 113:25 <b>Moreno</b> 48:6,7,8,12 48:14,17,19 48:21,25 49:2,5,9,12 49:18,22 50:1,9,18 51:3,5,13 51:16,21,24 52:1,5,8,15 52:17,19,21 52:25 53:5 53:8,12,15 53:17,19,21 54:1,4,11 54:14,24 55:1,4,12 55:15,20,24 56:2,5,8,14 56:19 57:1	57:4,11,12 <b>mother</b> 32:18 <b>mother's</b> 51:7,8 <b>motion</b> 20:23 21:1 31:8 33:11 59:5 61:24 62:2,9 66:7 74:9 79:12 79:13,23 96:21 99:3 99:8,19 105:9,14,22 112:10 113:8,11 124:24 <b>motivations</b> 109:7 <b>move</b> 6:7 33:7 59:4 70:6 74:6 91:12 101:21 102:8 106:22 107:12,25 113:3 116:5 121:13 126:24 127:20 <b>moved</b> 84:7 <b>moves</b> 20:17 59:6 62:1 74:10 79:11 99:11 105:11 113:5 124:15 <b>movie</b> 30:3 <b>multiple</b> 8:4 17:17 <b>municipal</b> 3:14 <b>Muskokeo</b>
---	---	---	---	--



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

114:23	83:2 88:18	20:19	31:12,13	<b>official</b>
<b>N</b>	89:14 98:19	<b>non</b>	42:18,19	4:19 56:10
<b>name</b>	103:20	5:1 90:17	52:23 57:6	126:21
23:15 36:22	112:21	<b>non-photo</b>	80:25 82:12	<b>officials</b>
56:17 60:3	114:6	22:12 25:12	83:12 101:5	11:1 14:25
71:24 72:19	123:12	54:25 56:1	126:1,8	98:13 99:1
88:2 89:16	124:13	56:7,12	127:2,17	114:9
89:17 91:19	<b>needed</b>	82:21 102:4	<b>objective</b>	<b>Oh</b>
123:21	91:16	125:10	50:6	18:9,22
<b>names</b>	<b>needless</b>	<b>non-photos</b>	<b>objects</b>	19:25 23:12
18:21	54:18	10:19	20:19	25:20 29:10
<b>national</b>	<b>needs</b>	<b>non-provi...</b>	<b>obligations</b>	53:18 55:24
81:14	9:11 106:12	8:11	14:3	70:3 98:7
<b>naturaliz...</b>	110:17	<b>note</b>	<b>observation</b>	<b>okay</b>
51:23 53:8	<b>negatively</b>	68:1,1 105:6	75:4 107:12	21:13,18,22
53:13,23	5:21	105:7 123:1	<b>observer</b>	21:23 22:9
54:5,7,15	<b>negotiations</b>	<b>notice</b>	69:16	24:7 26:2,3
<b>naturalized</b>	13:8	2:15 109:15	<b>obstacle</b>	26:5,9,17
25:6,8	<b>neither</b>	114:4	23:9,25,25	27:10,19
<b>nature</b>	60:1 129:18	<b>noticed</b>	26:21	28:1,12,18
14:11	<b>nervous</b>	75:5	<b>obstacles</b>	31:11 33:1
<b>Nay</b>	98:2	<b>notification</b>	24:24	33:3 34:14
20:24 79:20	<b>never</b>	118:17	<b>obtain</b>	37:12 54:3
105:12	5:5 24:9	<b>notified</b>	12:20	54:10,13
127:23	49:9 51:9,9	15:3	<b>occasion</b>	55:2,2
<b>Nays</b>	53:22 98:11	<b>notify</b>	40:18	72:23 73:25
124:24	124:3,4	16:20	<b>occur</b>	76:19
<b>Nay's</b>	<b>new</b>	<b>November</b>	58:4 106:12	110:16
62:9 79:23	6:7 7:2	111:16,18	<b>occurs</b>	116:23
99:19	16:16,21,25	<b>null</b>	62:2 79:12	117:5
105:22	23:18,19	120:17	122:23	<b>old</b>
113:11	24:7,7	<b>nullifies</b>	127:21	10:15 25:1
128:4	58:13 70:10	87:13	<b>offer</b>	26:11 31:24
<b>near</b>	90:17 93:10	<b>nullify</b>	64:22 68:5	48:17,19
30:12	93:12	95:18	75:18	68:16 97:18
<b>necessary</b>	110:12	<b>nullifying</b>	103:16	<b>older</b>
17:3 25:24	112:16,23	84:23	<b>offering</b>	5:9 33:6
91:1 111:12	113:21	<b>number</b>	2:6	41:16,22
<b>need</b>	114:13,18	21:7 36:22	<b>office</b>	42:3,4,11
6:6,14 12:4	<b>newer</b>	59:23,25	16:25 39:20	60:7 114:5
14:15,18	53:10	121:12	86:7 92:12	121:20
19:2 20:2	<b>news</b>	<b>nutrition</b>	94:20	<b>Olivo</b>
23:4,24	11:8 70:9	24:15	111:10	30:22 31:1,4
31:5 33:13	<b>night</b>		117:1	31:7,10
41:24 60:14	120:11,12	<b>O</b>	127:12	32:8,10,14
60:14,15	<b>Nit</b>	<b>objection</b>	129:9,16	32:16,24
81:20,22	123:9,13	20:18 31:8,9	<b>officers</b>	33:1,4 41:7
	<b>Nixon</b>		98:6	41:8,10,14



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

41:20 42:1 42:15,17,20 42:21 43:1 43:7,14 <b>once</b> 14:5 67:23 69:11,24 116:14 <b>ones</b> 14:19 21:20 44:12 53:11 105:1,1 <b>oneself</b> 45:2 <b>online</b> 37:16,19 <b>open</b> 43:12 <b>opinion</b> 121:18 <b>opportuni...</b> 38:5 75:18 <b>opportunity</b> 62:20,23 <b>oppose</b> 28:25 34:12 <b>opposed</b> 20:24 50:24 99:12 105:12 113:6 124:16 127:23 <b>opposition</b> 70:18 86:15 102:1 115:3 <b>order</b> 20:12,13 30:24 31:2 37:20 42:13 42:13 52:13 52:14 59:14 66:16 78:19 84:11 91:6 91:7 102:17 110:3 114:17 <b>ordered</b>	126:2 <b>original</b> 54:8,8 <b>ostensibly</b> 103:16 <b>Otto</b> 67:12,13,14 67:18,19 68:7,14,22 68:23 69:1 <b>ought</b> 14:8,12 16:5 39:9 72:17 119:23 124:7 <b>outcome</b> 129:22 <b>outside</b> 73:16 125:8 <b>outspoken</b> 13:13 <b>outward</b> 108:22 <b>out-of</b> 80:20 <b>out-of-state</b> 81:22 82:5 <b>overdue</b> 19:4 <b>overseas</b> 120:9,20 <b>overturned</b> 120:25  <b>P</b> <b>page</b> 21:6 22:3 27:15 115:6 119:13 <b>paid</b> 115:23 <b>paper</b> 72:25 73:4 84:25 124:2 <b>papers</b> 51:23 <b>paragraph</b>	5:20 <b>parents</b> 42:2,5,6 71:24 81:25 <b>part</b> 25:9 32:2 33:6 34:15 34:18,21 35:14 65:21 87:20 96:6 <b>participate</b> 3:3,13,15 16:2 81:17 <b>participa...</b> 3:17 14:9 17:6 <b>particular</b> 13:8,9 32:17 39:8 43:4 <b>particularly</b> 41:5 81:15 <b>parties</b> 129:20 <b>parts</b> 122:1,5 <b>party</b> 78:6 <b>Paso</b> 26:13 <b>pass</b> 17:4 <b>passage</b> 126:24 127:20,22 <b>passed</b> 12:18,22 13:2 26:3 38:5 70:15 93:3 100:10 128:4 <b>passes</b> 60:9 85:19 107:19 116:20 <b>passionate</b> 40:4 <b>passionately</b> 44:14	<b>passport</b> 51:24,25 53:2,5 54:19 <b>passports</b> 4:20 <b>Patrick</b> 69:8 <b>pause</b> 85:14 <b>pay</b> 12:4 102:20 115:13,15 115:20 116:3 <b>paycheck</b> 56:16 <b>paying</b> 115:16,18 <b>payments</b> 115:18 <b>penalty</b> 78:18 <b>pending</b> 120:14 <b>people</b> 3:12 4:22 5:12 6:10 6:11 7:3 8:3 10:12 10:16,20 11:6,9,20 12:20 14:16 15:2 16:13 17:25 18:14 18:16 19:14 22:21 23:22 24:19,25 25:1,2 26:11,15 27:3,3 29:9 30:15 32:18 38:14 39:25 40:3,7,10 40:16 41:15 41:21 42:2 42:7,10 43:3 45:7	47:8,10,12 47:24 55:5 55:6,7 56:21 63:1 63:5,19,23 64:14 65:9 65:11,22 66:10,15 67:7 68:7 68:11,22 69:10 74:17 74:25 75:3 75:6,8,11 77:3,4 78:12,14,20 78:23 81:17 85:2,16,18 86:16 87:12 89:21 93:3 93:7,8,18 98:10,14 99:6 102:20 102:25 103:5 106:5 106:6,15,20 110:4 111:3 111:6,16,19 112:1,22,23 113:25 117:17,17 117:20,22 123:10 <b>people's</b> 60:15 <b>percent</b> 3:12 16:2 17:5 18:12 64:12,12,14 68:20 88:4 121:8,10 <b>percentage</b> 3:15 64:10 <b>perfect</b> 24:19 36:18 36:19 <b>period</b> 37:8 120:5 <b>perpetrated</b>
---	--	---	--	---



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

20:7	27:13 32:23	118:13,17	18:13 27:10	39:25 73:21
<b>person</b>	35:19,22	123:20	27:17 29:22	<b>possible</b>
2:6 7:17	40:20 45:22	<b>places</b>	44:17 49:6	35:6 39:10
10:18 11:13	46:1,4,5	28:8 44:12	49:7,8,13	114:7
11:13,22	54:24 56:6	114:4 118:2	49:18,23	<b>post</b>
12:8,14	65:3,13	121:21	50:2,5	11:6 125:8
14:22 18:2	66:16 68:10	<b>placing</b>	75:19 97:17	<b>posted</b>
21:9 22:4	68:17 73:4	66:17	104:6	28:10 92:24
37:17 40:20	83:1,1,3,6	<b>plan</b>	110:12	93:16
51:9,18	84:15,22,24	16:16	113:24	118:20
54:18 56:11	85:24 86:2	<b>plane</b>	115:12	<b>potentially</b>
59:22,25	86:7,25	123:24	<b>polling</b>	11:9
61:19 65:1	88:18 92:19	<b>play</b>	4:7 13:17	<b>powers</b>
72:19 75:15	94:21 102:4	24:4	28:8 44:2	46:19
75:16 82:4	112:21	<b>please</b>	44:12 45:3	<b>practical</b>
111:22	118:3,6	41:19 48:9	61:6 62:24	51:17 120:10
116:24,24	125:9	74:9 79:9	64:4,22	<b>precaution</b>
118:14	<b>photograph</b>	80:7,8	69:19 85:22	14:18
122:24	100:20,24	91:23 92:3	91:20 92:6	<b>precedence</b>
123:2,4,5	<b>photographs</b>	99:8 112:25	92:25 93:16	93:22
123:13	21:20	114:24	93:23 98:22	<b>precedent</b>
<b>personal</b>	<b>picking</b>	<b>plenty</b>	98:25	95:15
32:22 59:24	17:24	72:11 118:16	112:17	<b>precinct</b>
<b>personally</b>	<b>picture</b>	<b>pocket</b>	118:12,20	84:3 89:12
47:9	7:8 8:8	84:20 95:22	121:21	89:24,24
<b>persons</b>	19:23 49:19	<b>point</b>	123:20	92:7 98:15
10:10,15	49:23,24	18:6 19:1	125:8,8	123:21
77:4	53:3,6,9	20:11,12	<b>polls</b>	125:21
<b>person's</b>	55:9,12,21	30:24 42:12	16:14 18:1,8	126:19
21:8,20 60:2	55:23 56:3	42:13 52:12	25:4 40:21	<b>precincts</b>
72:19	58:20 84:6	52:13 75:13	45:17 48:2	8:5
100:20	84:6 90:14	76:23 85:25	106:15	<b>prefer</b>
118:13	92:9 95:14	91:5,6 94:8	<b>pool</b>	4:6
<b>phone</b>	95:19 124:1	96:22 97:16	84:7,9	<b>prerequisite</b>
8:9 84:18	<b>piece</b>	125:10,11	<b>poor</b>	4:21
85:1 87:1	65:3 106:7	125:22	5:6,11,14	<b>prescribed</b>
94:22 95:21	<b>pieces</b>	<b>pointed</b>	<b>portion</b>	91:2
<b>photo</b>	7:7	46:12	34:5	<b>prescribes</b>
5:1,2 6:1,3	<b>place</b>	<b>pointing</b>	<b>portions</b>	13:15
6:3,11,12	4:7 8:25	96:23	12:23 34:8,9	<b>presence</b>
10:19 11:25	13:17 16:20	<b>policy</b>	34:12 90:21	99:21
12:1,9,12	61:6 62:24	78:8 87:18	<b>position</b>	<b>present</b>
13:16 15:6	64:4,22	<b>political</b>	29:13 74:22	2:2 23:23
15:9 20:1	66:20 69:19	115:14 116:5	<b>positively</b>	25:2 31:21
21:8,14,21	78:23 92:7	<b>politics</b>	112:4	40:19 41:16
22:12,22	92:25 93:16	51:6	<b>possession</b>	59:13 65:12
23:4,5 24:8	93:23 98:22	<b>poll</b>	54:6	65:19 85:22
24:9 25:12	98:25 114:2	4:17 6:8,10	<b>possibility</b>	



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

86:7 102:17 <b>presented</b> 63:14,14,15 63:15 65:17 92:13 97:24 <b>presenting</b> 72:20 73:15 <b>presents</b> 28:15 64:4 75:18 126:17 <b>preserve</b> 2:7 122:6 <b>president</b> 80:5 <b>presumed</b> 101:19 <b>presumption</b> 87:21,22 88:12 101:16,22 101:23 <b>pretty</b> 13:4 97:18 <b>prevails</b> 62:9 79:23 99:19 105:22 113:11 124:25 <b>prevent</b> 57:24 <b>previous</b> 94:3 <b>previously</b> 44:16 116:2 <b>pre-clear</b> 107:18 <b>pre-cleared</b> 107:4 <b>primaries</b> 3:7 <b>primarily</b> 80:20 <b>primary</b> 3:2,13 115:17,25	<b>printed</b> 8:24 <b>printing</b> 89:9 <b>private</b> 10:22 16:25 17:2 109:17 113:3 115:22 <b>privately</b> 110:18 <b>prize</b> 23:13 <b>probably</b> 57:25 70:24 72:4,6 76:23 83:5 86:15 96:20 117:15 <b>problem</b> 9:21 14:9,10 36:5,10,20 37:6 57:8 69:25 71:2 71:17 96:23 97:1 105:2 105:2,3 <b>procedures</b> 14:13 110:12 <b>proceeding</b> 129:21 <b>process</b> 2:8 3:18 14:15,23 57:7 61:2 61:20 102:20 104:12 106:16 120:15 <b>program</b> 16:19 24:15 <b>programs</b> 111:10 <b>prohibit</b> 38:14 <b>promote</b> 66:17,21	<b>proof</b> 2:2,6 59:14 62:24 63:15 63:18 100:25 <b>proper</b> 35:9 101:23 <b>properly</b> 113:23 <b>proposed</b> 2:12 <b>Proposition</b> 23:21 <b>protect</b> 57:21 60:15 69:24 <b>proud</b> 88:8 <b>prove</b> 19:14 51:18 51:20 73:7 <b>proved</b> 63:12 104:24 <b>proven</b> 87:22,23 <b>proves</b> 72:25 <b>provide</b> 2:5 24:5 119:9 <b>provided</b> 2:11 28:14 38:6 61:1 <b>provides</b> 6:13 60:22 <b>proving</b> 53:1 54:23 82:6 <b>provision</b> 7:1 8:6 19:23 45:12 94:17 <b>provisional</b> 7:2,4,9,15 8:10,21,24 27:19,20 28:14 64:8	64:10,12,15 65:5,8 68:20 83:22 84:7,8,9,9 86:3,3,21 88:5,19,21 90:9,13,15 90:25 91:14 92:11,11 96:7,12,25 101:15,17 102:22 104:13 115:8 116:16,19 116:22 119:15 120:4,21 121:1,2 122:22 123:23 <b>provision...</b> 27:25 104:22 <b>provisionals</b> 103:4 <b>provisions</b> 37:2 83:21 116:19 <b>prowess</b> 110:25 <b>public</b> 22:18,19 39:20 59:24 80:18 <b>publicized</b> 92:21 <b>pull</b> 64:23 <b>pulling</b> 18:18 <b>punish</b> 78:14,19,23 <b>purchase</b> 4:18 <b>purchasing</b> 5:4 <b>purple</b> 67:21	<b>purpose</b> 6:21 9:14 17:11 19:8 28:19 32:9 33:7 38:21 41:9 46:24 48:7 59:17 65:24 67:13 69:2 71:5 72:18 73:1 76:2 82:2,3 85:8 88:25 95:24 100:4 103:10 108:2 119:2 122:14 <b>purposes</b> 74:2 82:2,6 82:24 120:11 <b>purse</b> 18:21 36:16 <b>put</b> 13:25 15:5 26:20 33:23 95:3 98:12 103:20 123:22 <b>puts</b> 24:24 <b>putting</b> 98:5 104:15 <b>puzzled</b> 43:23 <b>p.m</b> 75:4,7 <hr/> <b>Q</b> <hr/> <b>qualified</b> 18:16 22:5 27:3 51:9 <b>qualifying</b> 29:23 <b>qualities</b> 74:15 <b>question</b> 15:23,25 16:12 32:11
--	---	--	---	--



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com



33:16,17,22	52:12 109:17	16:4 18:2	62:13 70:17	<b>registrar</b>
37:5 42:11	110:17	47:5 62:16	74:11 80:14	86:6
47:6 50:3	111:14	62:18,19,19	81:5 82:17	<b>registration</b>
60:18 62:1	<b>raises</b>	65:14,15	83:17 91:8	7:6,14 8:5
63:16 66:1	20:11 30:24	74:13 82:19	95:7 100:15	10:11,23
66:3 67:1,8	42:12 91:5	85:14 89:17	101:10,25	12:9 17:25
67:15 69:4	<b>raising</b>	95:3 97:7	102:10	31:21 40:19
71:7,8	109:23	98:19,21	106:1	58:17 59:13
79:11 85:6	<b>Ramond</b>	102:13	107:13	61:16 62:24
92:3 93:21	80:13	104:16,18	113:15	64:23 65:11
106:25	<b>ranks</b>	112:23	114:19	65:19 68:18
122:16	108:23	121:24	115:2	70:1,4,25
127:21	<b>rate</b>	122:3 123:8	121:15	71:17 72:5
<b>questions</b>	81:18	<b>reason</b>	125:4,16	72:13 81:14
2:16,25 9:16	<b>Raymond</b>	50:1,5,18,23	126:3,15	81:16 84:1
17:8 21:6	80:15,16,23	55:10 83:2	127:7,9,19	84:2,4,16
43:23,25	<b>read</b>	83:22 95:10	<b>recommended</b>	85:23 86:5
44:20,22	1:7 18:11	95:15 97:4	6:2	86:19,25
48:15 50:13	31:13 33:23	101:17,20	<b>record</b>	87:15 88:1
51:17 66:5	34:14,18,21	103:20	36:23 62:3,3	88:13 89:6
66:23 95:11	35:14 49:5	107:16	68:23,24,24	89:14,20
<b>quick</b>	62:10 79:24	116:8	75:24 79:15	91:20 92:10
66:2,5 92:2	80:12 81:2	124:13	99:13	93:12,23
<b>Quiet</b>	82:14 83:14	<b>reasonable</b>	105:13	94:10,19
108:20	96:11	107:11 111:2	113:7	95:13,15
<b>quietly</b>	100:13	<b>reasons</b>	124:17	106:17
108:18	101:7	47:8 86:15	127:25,25	112:20
<b>quite</b>	105:23	<b>recall</b>	<b>red</b>	117:25
39:13 56:12	113:12	76:19	75:21	118:9
74:7,14	125:2,14	<b>receipt</b>	<b>redeeming</b>	123:21
77:13 78:16	126:11	37:15	74:15	124:9
78:17 89:13	127:5 129:7	<b>receive</b>	<b>refer</b>	126:18
106:20	<b>reading</b>	23:6 115:12	27:14 115:6	130:5
109:25	97:3,5	120:9	<b>regardless</b>	<b>regular</b>
117:11	<b>reads</b>	<b>received</b>	17:4	44:5 57:5
<b>R</b>	34:19	3:21 120:22	<b>regards</b>	64:20
<b>race</b>	<b>ready</b>	<b>receiving</b>	60:20	<b>regularly</b>
11:4 77:3	65:1 86:20	12:14	<b>register</b>	64:7 65:4
99:7	112:23	<b>recognition</b>	59:21 69:19	106:18
<b>radio</b>	<b>real</b>	80:1 114:20	<b>registered</b>	<b>related</b>
93:15	26:14 42:2	<b>recognize</b>	14:4 64:2	34:8 109:6
<b>raise</b>	66:5 75:21	106:10	113:23	129:19
17:2 20:20	<b>realize</b>	114:22	126:18,19	<b>relates</b>
76:22	38:7 121:7	<b>recognized</b>	126:20	39:6,8 47:23
111:11	<b>realizing</b>	66:10 80:8	<b>registering</b>	<b>relating</b>
113:2	40:1	<b>recognizes</b>	4:21 12:7	2:1
<b>raised</b>	<b>really</b>	2:3 31:17	<b>registrant</b>	<b>relationship</b>
	3:16 6:4	32:6 59:7	13:17	62:16



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

<b>remain</b>	19:3,5,7,9	37:21,24	53:19,20,21	77:8,10,11
115:18	19:10,13,16	38:2,3,8,10	53:24 54:1	77:13,15,16
<b>remarkable</b>	19:17,20,22	38:16,17,19	54:3,4,10	77:17,20,21
3:25	19:25 20:4	38:20,22,25	54:11,13,14	77:24 78:1
<b>remember</b>	20:9,14,20	39:2,12,15	54:20 55:1	78:4,5,7,13
35:13 49:8	21:3,11,13	39:22,24	55:2,4,11	78:16,22,24
58:1 92:20	21:16,18,22	40:12,14,23	55:15,18,20	78:25 79:1
98:5	21:23 22:1	40:25 41:6	55:22,24,25	79:2,4 80:2
<b>rented</b>	22:2,7,9,11	41:10,12,14	56:2,4,5,6	80:16 81:7
30:3	22:14,17,18	41:18,20,25	56:8,10,14	82:19 83:19
<b>REP</b>	22:23,24	42:1,15,20	56:15,19,25	85:5,6,7,9
2:4,17,19,21	23:3,8,12	43:1,5,7,9	57:1,3,4,11	85:11,13
2:22,23 3:4	23:18 25:5	43:14,17,18	57:12,13,16	86:1,9,11
3:6,10,11	25:16,18,19	43:20,22	57:18,20,23	86:13,23
3:19,20,24	25:20,21	44:7,8,10	57:24 58:2	87:5,6,8,10
4:4,12,14	26:6,7,16	44:11,15,19	58:3,6,8,10	87:16,19
4:23 5:5,7	26:17,22	44:25 45:1	58:11,15,16	88:3,6 89:1
5:8,13,19	27:2,7,8,14	45:5,6,8,10	58:19,20,22	89:3,5,11
6:9,16,20	27:19,20,22	45:11,13,15	58:23,25	90:2,4,7,12
6:22,24,25	27:24 28:1	45:16,20,21	59:1,3,8,16	90:22 91:3
7:10,12,16	28:3,6,10	45:24,25	59:18,21	91:10 92:1
7:19,24 8:6	28:12,16,18	46:2,3,6,8	60:16,17,20	92:4,5,14
8:16,20,22	28:20,21,23	46:11,14,20	60:25 61:1	92:15,18
9:1,3,5,7,8	29:2,4,6,8	46:22,23,25	61:4,5,8,9	93:1,5,6,14
9:10,15,17	29:10,12,15	47:2,4,11	61:12,13,17	93:20,24
9:19,22	29:17,20,22	47:12,14,15	61:18,20,21	94:2,5,7,11
10:2,4,6,8	29:25 30:1	47:17,18,21	61:23 62:15	94:14,24
10:21,24,25	30:5,6,8,9	47:23 48:4	65:23,25	95:1,5,9,25
11:2,3,16	30:13,14,17	48:5,6,8,10	66:4,25	96:3,5,9,10
11:19,21,22	30:18,20,22	48:12,13,14	67:10,12,14	96:15,16,19
11:24 12:1	31:1,4,10	48:16,17,18	67:17,19,24	96:20 97:3
12:3,6,10	31:19 32:8	48:19,20,21	68:7,9 69:1	97:9,10,15
12:21,25	32:10,12,14	48:23,25	69:3,6,8,12	97:19 98:20
13:1,3,4,6	32:15,16,23	49:1,2,4,5	69:14,17,18	98:23
13:7,19,20	33:1,3,4,5	49:7,9,11	69:21,22	100:17
13:23 14:2	33:9,10,12	49:12,17,18	70:3,5,6,19	101:12
14:6,7,14	33:13,15,18	49:20,22,25	71:4,6,9,11	102:2,12
14:20 15:1	33:20,21,25	50:1,8,9,15	71:15,18,20	103:8,9,11
15:8,11,12	34:1,3,4,6	50:18 51:1	71:23,25	103:13,14
15:13,14,16	34:7,9,11	51:5,11,13	72:1,6,7,9	103:18,19
15:18,21,23	34:13,14,22	51:15,16,20	72:16,21,23	103:22,23
16:7,12,17	34:25 35:2	51:21,22,24	73:2,3,9,11	103:25
16:22,24	35:5,8,12	51:25 52:1	73:12,14,21	104:3,5,6,8
17:7,9,10	35:17,20,22	52:4,5,7,8	73:25 74:4	104:9,11,14
17:12,13,15	35:24 36:1	52:15,19,21	74:5,6,12	104:16
17:18,20	36:3,6,8,12	52:25 53:4	76:1,4,5,7	106:3,24
18:9,11,22	36:14 37:1	53:5,7,8,10	76:9,11,12	107:1,3,6,7
18:23,25	37:4,7,9,11	53:12,14,15	76:14,16,17	107:11,15
	37:12,14,18	53:16,17,18	76:19,22	107:24,25



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)



108:3,5,7,9	<b>report</b>	116:3 125:7	118:2	40:11 43:4
108:10,13	11:7 33:23	<b>required</b>	<b>responsible</b>	45:1,10,19
108:14,15	34:2 35:1	15:9 24:8	45:19 46:10	46:11 47:10
108:16,17	<b>Reporter</b>	25:8 72:8	46:12	47:13,16,17
108:19,20	129:3	72:10 83:23	<b>rest</b>	47:18 49:2
108:25	<b>reports</b>	83:24 91:15	96:16	49:9 50:6,7
109:1,2,4	5:10 11:8	113:20	<b>restores</b>	50:9 51:16
109:11,12	<b>represent</b>	124:2	96:17	51:21 52:1
109:13,15	2:25 29:14	<b>requirement</b>	<b>restrict</b>	52:25 53:12
109:18,20	29:15 64:19	11:23 12:7,9	70:21	54:4 55:1
109:22,24	85:16	12:22 16:16	<b>restricted</b>	60:5 61:4
110:1,2,6,8	<b>represent...</b>	16:21,23	74:23	63:8 64:21
110:10,11	28:23 29:17	26:10 27:6	<b>restriction</b>	67:6 68:25
110:14,16	30:1 32:14	32:20 82:22	68:25	71:19 81:19
110:21,24	33:21 34:15	84:5 91:1	<b>result</b>	86:17,22
111:8,14,18	35:5,18	96:13,13	38:12 40:6	89:12 91:16
111:19,21	36:10 37:10	104:20	64:9 66:22	91:18 93:5
111:22,25	38:17 39:13	113:22	68:3,21	94:12 97:5
112:3,6,13	40:8 41:1	<b>requirements</b>	70:4 75:1	97:9 101:18
113:17	41:15 44:16	4:2 5:21	<b>results</b>	103:18
114:21	47:6 63:17	13:14,15,18	39:7 40:2,3	106:6
115:4 116:7	63:20 80:3	13:21 14:1	41:4	118:14
116:9,10,12	81:8 84:21	16:15,20	<b>retain</b>	121:5,23
116:13,14	98:17	60:22 74:2	71:16	122:3
116:18,23	<b>representing</b>	82:4 90:11	<b>retired</b>	<b>rightfully</b>
117:2,5,7,9	5:12	96:18	4:18	47:22
117:10,12	<b>represents</b>	114:18	<b>returning</b>	<b>rights</b>
117:19,24	29:13	115:11	82:1	46:18 60:15
118:5,8,16	<b>Republican</b>	118:17	<b>returns</b>	122:4
118:24,25	78:6	<b>requires</b>	120:13	<b>rig-a-marole</b>
119:3,5,7	<b>REP. COLEMAN</b>	31:11 52:18	<b>review</b>	42:5
119:11,12	122:20	119:18	2:14 83:8	<b>ring</b>
119:19,20	<b>request</b>	<b>requiring</b>	84:10,12	62:4 79:16
119:21,23	31:4 42:15	2:2	<b>reviews</b>	99:13
120:1,2,4,7	105:8 129:8	<b>residence</b>	103:3	105:13
120:10,13	<b>requested</b>	71:13 73:18	<b>rid</b>	113:7
120:16,19	42:17 52:17	<b>residency</b>	20:6	124:18
120:24	62:3 79:15	60:4 73:19	<b>rides</b>	128:1
121:2,5,6,7	127:25	74:2 81:24	48:2	<b>ringing</b>
121:9,11,13	<b>requests</b>	<b>resonating</b>	<b>right</b>	62:5,7 79:17
121:17	31:7	65:22	3:19 5:24	79:19,21
122:13,15	<b>require</b>	<b>resources</b>	8:15 9:1	99:15
122:18	2:5 26:21	68:13,13	22:7,23	105:15,18
123:2,17	28:8 32:20	<b>respect</b>	23:3,13	105:20
124:3,6,11	32:21 67:25	27:4 31:25	26:6 29:25	113:9
125:6,18	90:25 104:3	<b>respectfully</b>	32:4,22	124:19,22
126:4,16	104:6	36:10 105:8	37:4 38:15	128:2
127:10,20	115:24	<b>respective</b>		<b>rises</b>

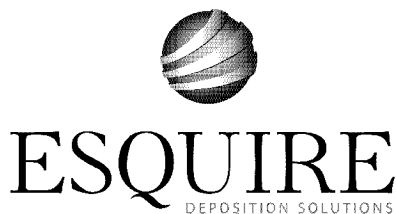


**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

22:19,20 <b>road</b> 105:4 <b>Robinson</b> 89:23 92:8 97:21 <b>Rock</b> 81:15 <b>Rodriguez</b> 1:17 129:3 130:4 <b>roll</b> 89:16,18 94:4 <b>rolls</b> 88:2 <b>route</b> 45:14 <b>rules</b> 7:2 9:9 24:4 93:10 112:16,23 <b>run</b> 24:21,21 <b>rural</b> 85:16	8:7 27:1,15 65:10 71:12 82:5,25 83:5 87:13 88:18 94:18 96:11 100:19 101:15,22 103:5 106:9 106:21 107:9 112:19 115:6 116:2 118:10 119:13,15 126:17 127:11 <b>SB</b> 99:22,23,23 99:23,23,23 99:23,23,24 99:24 <b>SBR</b> 99:22,22,22 <b>scared</b> 98:4 <b>scenario</b> 8:8 <b>scenarios</b> 2:14 <b>school</b> 3:8,14 26:20 64:1 81:11 81:23 114:23 <b>second</b> 90:7 96:10 113:19 <b>secret</b> 108:20 <b>Secretary</b> 10:14 11:10 16:24 17:1 63:17 109:18 110:22 111:2,9,11 113:2	<b>Secretary's</b> 110:25 <b>Secretly</b> 108:19 <b>section</b> 28:13 29:18 96:10 97:7 128:5 <b>sector</b> 10:22 <b>security</b> 24:13,14 59:25 61:2 <b>see</b> 15:21 23:24 25:3 28:16 34:23 36:9 46:20 55:5 56:19 58:14 59:10 62:18 107:8,16 119:14,24 <b>seeing</b> 4:8 <b>seeking</b> 66:21 <b>seen</b> 51:9 53:13 53:22 <b>Senate</b> 70:9,11,14 70:14,15 100:6,9,9 100:10 <b>Senator</b> 13:9,10 <b>sends</b> 61:25 79:10 80:23 82:10 83:10 99:10 101:3 105:10 113:4 124:14 125:24 126:6,25 127:15 <b>senior</b>	3:3 4:6 5:25 6:8 18:8,9 22:15,20 34:16 37:18 39:17 44:4 44:17 47:25 48:2 121:20 <b>seniors</b> 26:12 44:13 44:21 63:2 63:6 64:18 64:18 87:17 <b>sense</b> 63:5 105:8 <b>sent</b> 26:19 <b>sentence</b> 5:20 97:11 97:12 <b>separate</b> 104:22,23 <b>September</b> 106:10,13 <b>serious</b> 87:12 <b>seriously</b> 5:9,10 47:20 64:21 <b>serve</b> 82:2 83:1 <b>service</b> 18:3 <b>services</b> 32:2 130:6 <b>serving</b> 18:12 <b>session</b> 17:5 35:12 38:6 93:2 <b>set</b> 102:19 104:11 122:7 <b>sewage</b> 56:20 <b>share</b> 17:15	<b>sharing</b> 19:1 <b>sheriff</b> 80:9 <b>Sheriff's</b> 80:5 <b>shined</b> 26:19 <b>shining</b> 26:13 <b>shoes</b> 26:13,19 <b>shoot</b> 78:21 <b>Shorthand</b> 129:3 <b>show</b> 5:3 7:11,13 8:17,18 10:18,18 15:2,6,9 25:11 26:25 30:4,7,10 43:10,11 58:17 62:6 66:16 68:14 77:9,12 79:18,20 85:19 86:19 87:17,25 90:14 91:15 91:18 93:24 94:20 99:16 99:17 103:6 103:9 104:21,21 105:16,17 119:17 123:18 124:20 <b>showed</b> 7:6 58:20 77:13 <b>showing</b> 8:3 10:11 44:1 56:17 <b>shown</b> 7:21
--	--	--	--	--



Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiredepositionsolutions.com

<b>shows</b>	37:11 48:13	3:25 11:18	46:24 47:3	112:12,13
20:2 35:9	48:16 49:4	<b>soon</b>	48:6,7,11	113:4,10,15
42:10 94:3	49:7,11	113:24	52:12,15,17	113:17
116:21	50:8 51:21	<b>sorry</b>	52:20,22	114:19,21
<b>shred</b>	53:11 67:1	30:23 35:20	57:19 59:6	115:2,4
63:11	85:11	36:1 41:18	59:8,17,20	116:7,8,11
<b>side</b>	103:13	73:11 76:11	60:18 61:25	118:24
14:8,12	116:13	77:10 96:9	62:6,8,13	119:2,6
15:24 16:5	<b>sisters</b>	108:15	62:15 63:10	120:3
74:17,18	50:12,23	109:12	65:23,24	121:15,17
75:2 78:11	<b>sit</b>	<b>sort</b>	66:2,24,25	122:13,14
78:11 79:6	26:20 102:20	46:16 96:17	67:12,13,16	122:17,19
<b>sign</b>	<b>site</b>	<b>sound</b>	69:2,5 70:8	124:14,20
6:13 12:3	121:6	124:7	70:10,10,12	124:23
61:6 91:20	<b>sitting</b>	<b>sources</b>	70:13,17,19	125:4,6,13
108:14,16	84:8	109:17	71:4,5,8,10	125:16,18
123:22	<b>situation</b>	<b>south</b>	74:10,12	125:24
<b>signature</b>	7:20 11:17	69:9,22	76:1,2,6,8	126:6,14,16
61:14,15	24:6 88:9	114:24	79:4,10,15	126:25
72:23	<b>six</b>	122:1,6	79:18,20,22	127:7,10,15
<b>signed</b>	103:1	<b>Spanish</b>	80:2,11,14	127:21
107:20	<b>size</b>	24:10,17	80:16,23	128:3
<b>significant</b>	2:11	25:22	81:5,7	<b>speaking</b>
14:10	<b>small</b>	125:20	82:10,17	24:17 25:22
<b>significa...</b>	53:22	<b>speak</b>	83:10,17,19	32:24
12:23	<b>smaller</b>	24:11 32:25	85:5,7,8,10	<b>special</b>
<b>signing</b>	3:15	91:8 115:3	85:12 88:25	78:10 108:8
61:9 91:21	<b>social</b>	<b>Speaker</b>	89:2,4 90:2	<b>specific</b>
99:20	4:6 24:13,14	2:3,4,17,20	90:5 91:5	10:3,3 13:15
<b>simple</b>	59:24	6:21 9:14	91:10,25	<b>specifically</b>
31:23 100:18	<b>software</b>	9:18 17:10	92:2 95:7,9	103:24
106:4,20	14:23	17:11,14	95:24 96:2	<b>spirit</b>
112:14	<b>sole</b>	19:7,8,11	96:4 99:10	75:9,10
113:1	82:2,3	20:11,14,17	99:16,25	<b>spoke</b>
<b>simpler</b>	<b>solve</b>	20:22 21:3	100:2,3,7,8	21:24 28:6
105:4	9:21 18:23	28:19,22	100:12,15	113:18
<b>simply</b>	69:25	30:22,23	100:17	<b>spoken</b>
31:20 57:21	<b>somebody</b>	31:1,2,7,11	101:3,10,12	16:25
59:12 60:10	7:4 94:5,16	31:17,19	101:25	<b>Sponsor</b>
75:15 80:17	98:1,3	32:6,8,9,11	102:10,12	70:16
83:2 112:15	102:23	32:13 33:9	103:8,10,12	<b>sponsored</b>
125:7	<b>somebody's</b>	33:12,14,17	105:10,16	78:5 100:11
127:11	35:6 95:17	33:19 38:20	105:19,21	<b>sponsors</b>
<b>single</b>	<b>someone's</b>	38:21,24	106:1,3,23	78:8
11:11	84:23 95:17	39:1 41:7,8	106:24	<b>spot</b>
<b>sir</b>	95:19	41:11,13	107:13,15	32:1 104:23
11:2 29:2	<b>somewhat</b>	42:12,17,21	107:24	<b>stain</b>
30:8,13		43:18,21	108:2,6	67:21
			109:1,3	



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

<b>stand</b> 79:5,6 80:8 114:24	63:17 111:9 <b>station</b> 9:4 45:3	71:5,6,9,11 71:18,23 72:1,7,16	63:2,8 70:22 72:2 79:8 80:21 81:11	<b>supply</b> 59:22
<b>standards</b> 15:19 73:19	<b>stations</b> 44:2	72:22,23 73:3,11,14	81:16,21,22 81:23	<b>support</b> 20:6 50:16
<b>started</b> 18:18 98:5	<b>statistic...</b> 14:10	73:25 74:5 81:4,6,7	<b>student's</b> 73:5	68:6,25 69:25 70:1
<b>starting</b> 106:9 112:20	<b>stay</b> 90:20 112:25	82:10,16,18 82:19 83:10	<b>study</b> 11:4,4,15,16	79:9 108:12 108:20,21
<b>state</b> 8:2 9:23	<b>steal</b> 23:14	90:2,6,7,22 95:24 96:4	63:13 113:25	<b>supported</b> 78:18
10:10,14 11:6,10	<b>stick</b> 74:8 91:23	96:5,10,16 96:20 97:9	<b>subdivision</b> 115:14	<b>supportive</b> 34:10 51:4
13:11 16:22 17:1 22:4	<b>stolen</b> 14:16	97:15 98:20	<b>subdivisions</b> 116:5	<b>supports</b> 34:5
34:19 42:7 50:4 56:22	<b>stop</b> 15:5 18:4	<b>strange</b> 124:7	<b>subject</b> 27:16 84:10	<b>suppose</b> 4:12 47:5
60:6,7 63:12,19	42:10 58:8 75:14,23,23	75:22 <b>straw</b>	84:12 <b>subjected</b>	<b>supposed</b> 88:15,16
66:19 73:5 73:16,23,24	93:21 <b>stopped</b>	129:8,16 <b>strength</b>	23:20 26:10 <b>submitted</b>	89:13 <b>sure</b>
74:25 77:18 77:22 78:10	18:3 <b>store</b>	65:18 <b>strictures</b>	129:14 <b>subsection</b>	7:16 14:18 18:16 35:13
79:9 80:19 80:21 81:11	22:25 <b>stories</b>	103:20 <b>strike</b>	115:7 <b>substantial</b>	39:18 44:21 47:9 52:7
81:23 83:4 83:5 109:19	8:3 10:16 <b>story</b>	21:1 42:24 83:20 88:17	2:15 106:11 109:25	55:3 57:14 68:2 69:10
110:22 113:2	19:1 63:24 <b>Strama</b>	97:6,6 <b>strikes</b>	<b>substanti...</b> 109:10	79:3 81:20 81:22 82:4
115:18,19 121:24	9:14,15,19 9:22 10:2,6	91:4 <b>striking</b>	<b>substantiate</b> 16:4 63:15	83:4 92:6 95:16,17
129:2,4 <b>stated</b>	10:21,25 11:3,19,22	97:7 <b>stringent</b>	<b>substanti...</b> 6:6	97:5 99:4 111:25
28:13 44:16 108:11	12:1,6,21 13:1,4,7,20	13:25 78:17 <b>strip</b>	<b>sudden</b> 24:1,4	114:7,8,17 121:19,22
<b>statement</b> 35:16 36:25	14:2,7,14 14:20 15:8	38:4 <b>stronger</b>	<b>sufficient</b> 73:7	122:8,10,10 <b>surprise</b>
56:16 59:25 60:3	15:12,14,18 15:23 16:12	13:13 <b>stuck</b>	<b>suggest</b> 44:24	4:15 88:3,7 <b>surprised</b>
<b>states</b> 13:24 35:15	16:18,22 17:7,9	90:19 <b>student</b>	<b>suggested</b> 109:16	102:13 104:17
66:19 68:12 78:2,3	59:16,17 60:16,19,20	63:25,25 64:2,6,7	<b>suggests</b> 4:16	<b>susceptible</b> 60:12
115:9 122:2 124:5	61:1,5,9,13 61:18,21	71:12,16 73:7,10,13	<b>suit</b> 108:11	<b>sustained</b> 20:13 31:3
125:20 <b>state's</b>	69:2,3,6,8 69:14,18,22	73:15,16 82:2,5,6	<b>Suite</b> 130:6	42:14 52:14 91:7
14:3 16:24	70:5 71:3,4	<b>students</b>		<b>swear</b> 51:6



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquireolutions.com

<b>swearing</b> 51:8 <b>swears</b> 61:10 <b>swipe</b> 98:18 <b>system</b> 7:13 20:8 44:18 88:20 99:4	90:8 91:14 93:22 94:7 98:11 104:19 105:3 110:2 115:13 116:24 117:22 123:10 <b>taken</b> 20:13 31:2 42:14 52:14 55:9,12 70:14 91:7 95:14 100:9 102:7 129:21 <b>takes</b> 8:25 46:8 94:15 96:6 113:24 <b>talk</b> 9:20 27:9 66:8 114:11 122:1 <b>talked</b> 63:9 114:10 <b>talking</b> 3:22 10:14 26:11 34:16 41:17 43:14 43:25 49:14 55:4 85:15 <b>talks</b> 113:18 <b>taught</b> 25:8 <b>tax</b> 4:17 6:8,10 29:22 49:6 49:7,8,19 49:23 85:1 <b>taxes</b> 49:13 50:2,5 <b>technicality</b> 34:21 35:7 <b>technology</b> 10:23	<b>tell</b> 7:12 40:14 40:24 42:9 63:24 64:17 65:20 97:20 110:8,11 114:11 122:2 <b>tengo</b> 24:12,13 <b>terms</b> 40:3 44:3,12 47:25 84:22 88:10 89:21 110:19 112:24 120:17 <b>testified</b> 28:24 <b>testimony</b> 10:3,9 63:5 76:18 <b>Texans</b> 88:11 <b>Texan's</b> 68:25 <b>Texas</b> 5:22 11:17 13:25 25:9 28:25 34:19 42:8 59:22 62:20,23 63:25 66:14 66:19 71:13 71:16 72:14 73:6,17 78:10 79:7 81:13,24,25 81:25 82:1 92:7 111:13 121:25 122:4 124:11,12 129:2,4,9 129:17 130:4,7 <b>thank</b> 2:4 6:19,20	6:25 9:9,10 9:19,22 17:7,9 18:24,25 19:1,4,5 20:9 21:3,4 30:20 33:4 33:21 38:17 38:19 41:5 41:6 43:15 43:17,22 46:22,23 47:4 48:5 57:11,12 59:2,3,8 61:22,23 62:15 66:25 67:10 69:1 70:19 74:5 74:6,12 80:2,10,16 81:7 83:19 85:13 91:7 91:10 95:5 95:9 100:17 102:12 104:15,16 106:3 107:15 108:25 109:4,5 112:9,13 114:21,25 119:25 121:12,13 122:20 125:6,18 127:10 <b>Thanks</b> 124:10 <b>themselves</b> 72:20 <b>thing</b> 18:6 25:3 57:5,5 75:13,14 106:4,9 123:18	<b>things</b> 12:15 24:20 30:2 41:1 56:20 58:4 63:9 65:14 66:8 87:2 93:7 102:21 112:2,8 123:10 <b>think</b> 2:14 4:24 6:4 9:24 16:8,10,17 16:18,19 17:21 19:3 20:4 23:12 30:2,14 35:3 36:4 36:17,18,20 37:19 39:5 39:9,12,24 40:3,6 43:11 44:3 44:15 47:20 48:17,21 49:24 50:11 50:14 60:8 64:9 66:9 66:22 68:21 69:17 70:3 71:1 74:14 74:14,16,25 75:2,24 78:8,9,20 82:21,22 85:2,4,14 87:11,16,19 87:20 93:8 97:13,14,15 104:18 106:4 109:8 109:13 111:1,15,19 111:22 117:16 119:12 123:2,4,12 123:14
---	--	--	--	--



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

125:22	31:6,8 37:5	116:3	40:10	22:1,11
127:13	37:8 42:13	121:22	<b>trying</b>	<b>ultimate</b>
<b>thinking</b>	42:16,18,21	122:10	9:21 13:24	67:4
18:11 46:9	42:23,24	<b>transcribed</b>	15:5 17:22	<b>ultimately</b>
<b>thinks</b>	47:16 49:3	1:17 129:7	39:4 40:1	11:12 46:18
64:8	50:3 52:13	129:11	43:3,5 57:6	<b>unable</b>
<b>Thompson</b>	52:16,18,23	<b>transcript</b>	57:13,14,21	12:4 64:15
76:1,3,5,9	57:2 59:18	129:14	57:24 58:3	<b>unanimous</b>
76:12,16,19	59:19,20	<b>transfers</b>	58:8 59:10	31:12 52:18
77:8,11,15	66:6 80:22	46:19	66:17 78:21	<b>underlying</b>
77:17,21	86:9 91:6	<b>transition</b>	84:21 89:9	90:20 97:8
78:1,5,13	97:25,25	16:16	104:18	<b>underpinn...</b>
78:22,25	98:2 106:19	<b>transport</b>	<b>Tuesday</b>	109:6
79:2 107:24	111:2,16	45:2	123:1	<b>understand</b>
108:2,3,7,9	112:17	<b>transport...</b>	<b>turned</b>	4:25 5:13
108:10,14	113:2,25	37:25 39:19	48:19 113:23	38:10 39:22
108:16,19	114:16	45:18	115:5,9	52:22 53:10
108:21,25	120:23	117:14,18	<b>turnout</b>	55:1,7
<b>thought</b>	<b>times</b>	<b>traveling</b>	81:19	56:25 59:9
18:2 61:21	4:6 8:4	86:17	<b>turn-out</b>	84:21 90:22
70:25	17:17,24	<b>TRAVIS</b>	17:3	97:15 98:10
103:14	48:1 103:1	129:1	<b>TV</b>	106:16
<b>thoughtful</b>	<b>tiny</b>	<b>trend</b>	93:15	108:21
46:9,13	53:20	122:7	<b>Twenty-one</b>	129:12
<b>thousands</b>	<b>today</b>	<b>trending</b>	64:11,12	<b>understan...</b>
5:22 26:7,8	5:10,12	81:19	<b>twice</b>	57:21
65:7,7,7	17:22 63:21	<b>tried</b>	14:24 84:15	<b>undocumented</b>
<b>three</b>	68:19 77:1	37:9 44:23	<b>two</b>	16:3
17:23 18:4	116:19	44:25	5:1,22 7:7	<b>undue</b>
52:25	<b>told</b>	<b>tries</b>	8:8,19	43:10
<b>throw</b>	10:8 28:11	14:22	10:19 22:19	<b>unfavorably</b>
59:11 90:10	108:17	<b>trip</b>	23:4 25:12	3:22
<b>throwing</b>	109:19,22	95:12 102:16	28:24 29:11	<b>unfortunate</b>
34:20	<b>touch</b>	<b>trouble</b>	45:25 54:24	115:19
<b>thrown</b>	4:2 45:11	70:23	55:25 56:2	<b>unfortuna...</b>
34:24 35:7	<b>train</b>	<b>troubling</b>	56:7 60:1	112:2
63:22 104:9	110:12	55:5	66:8 73:4	<b>unfunded</b>
104:24	123:24	<b>true</b>	82:22 84:25	116:1,4
<b>till</b>	<b>trained</b>	4:13 19:17	92:20 118:6	<b>union</b>
84:13	75:19 113:20	38:2 107:4	124:1	21:9,13,14
<b>time</b>	114:1	107:18	<b>type</b>	21:14
4:10 9:6	115:22,24	116:18	5:4 25:13	<b>United</b>
13:16 15:11	<b>training</b>	117:12	<b>types</b>	66:19 68:12
15:12,17	98:8 99:1	<b>trust</b>	12:15 41:23	78:2 124:4
17:16 19:18	104:7 114:6	55:8,8	93:7	<b>unquantified</b>
20:12,15,18	114:17	<b>try</b>		16:3
20:23 21:2	115:11,13	14:24 39:9		<b>unreasonable</b>
30:25 31:5	115:24			



Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com



30:15 109:8 109:14 <b>untrained</b> 97:18 <b>update</b> 93:10 <b>upscale</b> 40:15 <b>Uresti</b> 33:9,12,14 33:15,18,21 34:1,4,7,11 34:14,25 35:5,12,18 35:20,24 36:3,8,14 37:4,9,12 37:18,24 38:3,10,17 38:19 80:1 80:2 <b>urge</b> 59:4 95:6 112:10 <b>use</b> 67:21 83:21 84:22 122:22 <b>uses</b> 16:25 <b>usually</b> 21:14 <b>utility</b> 56:15 <b>utmost</b> 16:10 17:5 <b>U.S</b> 21:19 25:9 26:8  <hr/> <b>v</b> <hr/> <b>valid</b> 21:7 45:25 54:8 65:13 82:6 83:1,7 88:21 101:24 117:25	118:7,8,9 <b>value</b> 115:16 <b>Veasey</b> 88:25 89:1,5 106:23,24 107:3,7 113:14,16 113:17 116:7,8,9 116:12,14 116:23 117:5,9,12 117:20,24 118:8 121:16,17 122:17,18 122:21 123:2 124:3 124:11,14 124:21 <b>Veasey's</b> 121:14 <b>verbal</b> 108:22 <b>verification</b> 61:15 <b>verify</b> 59:14 61:18 102:22 123:1 <b>version</b> 4:17 <b>veteran</b> 34:21 35:18 35:22 <b>Veterans</b> 34:18 36:20 36:22 38:6 <b>vetoed</b> 77:24 <b>virtually</b> 3:21 <b>Vo</b> 76:21 <b>void</b> 120:17 <b>voluntarily</b>	5:23 <b>volunteering</b> 114:6 <b>volunteers</b> 97:18 <b>vote</b> 2:6 8:13,18 9:25 10:1 11:20 12:7 12:7,22 13:14,17,21 14:4,5,16 14:21,22,24 15:9 19:15 19:18 20:21 20:23,24,24 20:25 23:13 23:14,18 25:10,23,23 26:2,25 27:13,24 28:5,15 29:23 31:10 33:10,11 34:20,23 35:6 37:6 39:10,13 40:4,11,15 40:17 41:24 42:20,22,23 45:3,7,8,16 45:19 46:10 46:16 47:24 51:10,10 57:15 58:12 58:21 59:5 59:15,22 60:8,15 61:7,24 62:2,3,4 64:3,7,16 64:21 65:1 65:4 66:14 66:14,16,20 67:6 68:4 68:19,25 69:10,19 71:14,15	72:12,20 73:15,20 74:9,18,20 74:21,23,24 74:25 75:3 75:10,11,16 79:6,7,8,12 79:13,14,15 81:12,15,24 84:11,12 86:2,4,20 87:4,15,21 87:21,23,23 87:24,25,25 88:8,12 89:8,22 90:25 91:11 91:13,17,18 91:24 92:16 94:12,13,22 95:6,17,18 95:19,23 96:21 99:3 99:8,12,12 99:13 103:7 104:13,22 105:9,12,12 105:13 106:7 111:23 112:10 113:6,6,7 114:14 116:24 117:13,15 118:3,10,14 118:14,15 120:17 121:23,23 122:2,5,11 123:11,19 123:22 124:1,10,16 124:16,17 127:23,24 127:25 128:1 <b>voted</b>	11:10,13,14 11:14 14:24 15:4 17:23 35:11 42:5 42:6 67:23 77:3,5 79:22 94:3 99:18,18 105:19 113:10 114:8 124:23,24 128:3 <b>voter</b> 2:2 5:21 7:6 7:14,23 8:4 9:24 10:3 10:11,22 13:11 14:4 14:9,11 16:4,19,23 17:2,3,5,25 19:23 24:8 27:16,18,21 28:4 31:20 31:21 38:11 40:16,19 58:16 59:11 59:12 60:23 60:23 61:15 62:23 63:12 64:22 65:11 65:19 68:18 70:1,4,25 72:5,13 76:25 77:2 77:5 78:15 81:14,19 82:24 83:8 84:1,2,4,11 84:16 85:23 86:5,6,6,19 86:24 87:3 88:1,13 89:6,14,18 89:19,20 90:14,16,18 90:25 91:20
--	---	--	--	---



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

92:10 93:12	2:14 4:1 7:2	84:1 92:7	102:21	121:24
93:22 94:4	7:4,17 8:5	123:25	112:7	122:7
94:9,19	10:20 14:17	walked	113:23	wheel
95:13,15	14:19 15:4	123:20	121:24	52:9
97:20 98:13	17:17 18:1	Walker	123:6	wheelchair
101:18	18:16 20:6	80:6	124:13	123:25
104:4,24	20:7 23:25	walking	127:13	where-wit...
106:11,16	27:18 28:14	23:1	ways	39:19
106:22	30:14 37:7	walks	46:4 51:18	wide
109:9,25	40:8 42:8	2:13 92:6	52:25	93:15
110:19	44:1,5	wallet	week	widespread
111:3,10,15	48:22,24	23:17 36:16	108:8	13:11 14:10
112:17,20	50:22 53:1	52:2,6,9,11	weigh	103:21
117:25	58:9 60:6	84:19	16:1 75:25	wild
118:9	60:10 62:6	want	welcome	77:1,5
123:20	63:19 64:25	7:16 8:10,17	80:9 114:25	wildly
124:8	68:16 69:24	18:19 23:14	went	92:21
126:17	74:2,16,17	24:1 40:5	7:4,19 11:10	Willie
voters	74:18 79:18	46:5 47:5	25:21 30:6	89:23 92:8
2:5,8 3:2,25	79:20 83:22	50:19 52:15	92:12 97:4	97:21
4:18 7:21	84:7,9,10	59:10 60:10	97:22	willing
16:2,20	84:14 85:17	62:18 63:4	104:24	6:13
38:14 44:3	86:6 87:8	68:2,19	Wentworth	Wilson
44:4 50:22	87:15 88:10	70:20 71:15	70:16	129:8,15
62:20,23	89:13 93:3	72:15 73:25	weren't	winner
71:16 73:6	94:8 99:16	74:13 89:21	117:13	120:12
73:17 78:11	99:17	92:5 94:24	West	winning
95:4,12	101:19	96:22 97:16	129:8,15	65:20
102:5	102:17,19	106:5	we'll	Wisconsin
106:19	103:21	115:12	5:11 15:21	77:23 78:9
107:10	105:16,17	wanted	we're	wish
111:12	106:18	18:6 43:24	5:8,9 9:10	95:22
112:8	114:4 115:5	55:2 75:15	13:24 15:4	witnessed
113:22,23	115:8 122:4	wants	15:9 34:16	120:24
115:7	124:11,12	75:16	38:13 43:14	woman
126:19,21	124:20,21	War	49:14 57:13	97:21
voter's	Vo/Heflin	34:17,20	57:14,14	women
56:17 57:15	76:23	wasn't	66:17 67:7	47:15 66:21
101:1		58:24 102:14	82:23 83:6	67:3 98:12
126:18,22		watch	90:23	wonder
votes	wage	121:4	103:19	16:15
16:9 18:4	115:17	water	117:21	wonderful
19:19 84:23	wages	3:16 59:12	we've	97:21
87:13	115:23	way	10:16 66:10	wondering
107:17	wait	25:14 31:22	90:17 93:17	89:6
118:1	53:21,21	46:20 52:4	95:11 102:7	Woolley
120:20	107:8	70:21 95:3	106:5	19:7,8,9,13
voting	walk	101:14	117:10	



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com



19:17,22 20:4,9 <b>word</b> 3:5 40:13 49:21 69:13 98:1 110:4 <b>work</b> 23:7 26:9 44:18 88:20 109:5 121:21 123:15 <b>worked</b> 10:22,25 18:17 24:6 26:9 35:12 44:2 58:14 88:20 93:2 114:2 <b>worker</b> 104:7 <b>workers</b> 18:14 27:17 44:12,17 75:19 97:18 110:12 113:20 115:12,25 <b>working</b> 62:16 117:17 123:16 <b>works</b> 99:4 <b>world</b> 5:2 26:23 34:17,20 36:18,19 <b>worst</b> 88:11 <b>Worth</b> 3:1 123:8 <b>worthy</b> 102:14 <b>wouldn't</b> 19:17 23:12 59:1 101:22 117:13 <b>wrong</b>	7:12 36:18 97:4 <b>wrote</b> 111:6 <hr/> <b>Y</b> <b>y</b> 85:10 <b>years</b> 4:8 7:22 8:1 10:16,22 21:20 22:16 22:21 31:24 33:6 41:15 41:22 47:10 48:19 49:14 51:6 56:22 62:22,22,22 64:25 65:12 68:16,16 85:20,24 87:9 106:18 110:23 <b>yield</b> 2:18 6:23 17:12 19:9 28:20 32:10 32:11,12 33:15,17 38:23,24,25 41:10,11 43:19 47:1 48:8 57:17 59:16 60:16 60:17 65:25 66:2,22 67:14,16,17 69:5,7,7,7 71:6,8 76:5 76:6 85:9 85:10 88:24 89:1,2,3 90:3 92:2 96:1,2 103:11,12 103:13 106:25 107:1 108:4	109:2 116:9 119:4 120:1 122:16,17 <b>yielded</b> 20:15 <b>yields</b> 2:20 9:18 17:14 19:11 21:2 28:22 32:13 33:19 39:1 41:13 42:25 43:21 47:3 48:11 57:19 60:18 71:10 76:8 85:12 89:4 90:5 108:6 109:3 116:11 119:6 120:3 122:18,19 <b>young</b> 39:25 43:13 57:25 66:21 67:3 81:17 <hr/> <b>\$</b> <b>\$1.75</b> 49:13,14 <hr/> <b>1</b> <b>1</b> 27:15 106:10 106:13 115:6,7 <b>100</b> 17:5 <b>100congress</b> 130:6 <b>11</b> 31:14 <b>12/31/13</b> 130:5 <b>129</b> 99:24 <b>13</b> 119:13 <b>1342</b>	99:22 <b>136</b> 70:16 92:7 <b>14th</b> 129:8,16 <b>15</b> 4:8 22:16,21 <b>1700s</b> 56:24 <b>1706</b> 1:7 2:1,5 4:16 91:2 97:1,16 113:22 127:22 128:4 129:6 <b>177</b> 99:24 <b>187</b> 23:21 <b>1965</b> 124:12 <b>1998</b> 114:3 123:16 <hr/> <b>2</b> <b>2</b> 27:5,15 115:6,7 116:15 <b>2ND</b> 1:7 129:7 <b>2:59</b> 75:4,7 111:5 <b>20</b> 4:8 21:20 22:16,21 68:20 99:22 <b>2000</b> 11:7 13:12 70:16 130:6 <b>2004</b> 64:11 <b>2005</b> 1:7 106:10 129:6 <b>2008</b>	106:13,21 112:20 <b>2012</b> 129:15,25 <b>209</b> 129:8,15 <b>21</b> 49:1 <b>214s</b> 36:23 <b>22</b> 58:1 <b>23</b> 129:15 <b>24</b> 125:10,11,22 130:23 <b>25</b> 22:21 <b>26</b> 99:22 <b>27th</b> 129:24 <b>28</b> 99:22 <b>283</b> 130:5 <hr/> <b>3</b> <b>3</b> 21:7 <b>30</b> 4:8 21:20 85:18,20 86:8,17 <b>328-5557</b> 130:7 <hr/> <b>4</b> <b>40</b> 85:18,20 86:8,17 <b>407</b> 99:23 <hr/> <b>5</b> <b>5</b>
---	--	--	---	---



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

HB 1706 House Calendar 2nd Read

May 2, 2010

162

3:12 22:3	7th			
5/2/05	114:22			
1:7 129:7	7:00			
50	123:1			
16:1 27:3	74			
29:6 31:21	48:19			
31:24 32:5	75			
33:6 41:15	79:22			
41:22 42:3	766			
43:11,13	99:23			
49:14 59:13	78			
64:25 65:12	26:14			
68:16 85:24	78701			
86:17 87:9	129:9,17			
106:17	130:7			
512	79R			
130:7	1:7 129:6			
541	796			
99:23	99:23			
574				
99:23	8			
59	80			
62:8	18:12 64:14			
	88:4 121:9			
6	121:11			
	124:24			
6	80s			
3:12 119:13	42:3			
60	81			
49:14 86:17	113:11			
99:19	8140			
61	130:4			
124:24	83			
62	105:21 128:3			
79:23 105:21	84			
113:11	32:19 42:7			
63	62:8 99:19			
128:4	86			
65	32:19 42:6			
45:9	9			
692	90			
99:23	68:16 121:7			
693	965			
99:23	100:11			
7				
7				
22:3				



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

JA\_008726

TX\_00211469

# HOUSE JOURNAL

---

SEVENTY-NINTH LEGISLATURE, REGULAR SESSION

---

## PROCEEDINGS

SIXTIETH DAY — MONDAY, MAY 2, 2005

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 450).

Present — Mr. Speaker; Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

The invocation was offered by Scott Sager, pastor, Preston Road Church of Christ, Dallas.

The speaker recognized Representative Branch who led the house in the pledges of allegiance to the United States and Texas flags.

### **REGULAR ORDER OF BUSINESS SUSPENDED**

On motion of Representative Nixon and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

### **CAPITOL PHYSICIAN**

The speaker recognized Representative R. Cook who presented Dr. Robert Youens of Weimar as the "Doctor for the Day."

The house welcomed Dr. Youens and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

### **LEAVES OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of the birth of his daughter Andrea:

Herrero on motion of Leibowitz.

The following member was granted leave of absence for the remainder of today because of important business in the district:

J. Davis on motion of Griggs.

(Paxton in the chair)

### **HR 959 - READ (by Wong and Hopson)**

The chair laid out and had read the following previously adopted resolution:

**HR 959**, In memory of Elnora Mayeux Callegari of Cottonport, Louisiana.

### **INTRODUCTION OF GUESTS**

The chair recognized Representative Wong who introduced the family of Elnora Mayeux Callegari.

### **MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

### **INTRODUCTION OF GUESTS**

The chair recognized Representative Martinez who introduced Heriberto "Herbie" Lopez, member of the Tejano R.O.O.T.S. Hall of Fame, and his family.

### **HR 1413 - ADOPTED (by Zedler)**

Representative Zedler moved to suspend all necessary rules to take up and consider at this time **HR 1413**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1413**, Honoring the members of Girl Scout Troop 3540 from Tarrant County on their visit to the State Capitol.

**HR 1413** was read and was adopted.

### **HR 1225 - READ (by Giddings)**

The chair laid out and had read the following previously adopted resolution:

**HR 1225**, Congratulating "Insights" on the occasion of its 25th anniversary.

### **INTRODUCTION OF GUESTS**

The chair recognized Representative Giddings who introduced Rochelle Brown, Joseph Bell, and Shaun Rabb, from the Dallas-based television program "Insights."

**HR 1225 - MOTION TO ADD NAMES**

On motion of Representative Hodge, the names of all the members of the house were added to **HR 1225** as signers thereof.

**HR 1418 - ADOPTED  
(by Swinford)**

Representative Swinford moved to suspend all necessary rules to take up and consider at this time **HR 1418**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1418**, Honoring David Regan McCoy of Dallas on his 50th birthday.

**HR 1418** was read and was adopted.

**INTRODUCTION OF GUEST**

The chair recognized Representative Swinford who introduced David McCoy.

**HR 1251 - ADOPTED  
(by Naishtat)**

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 1251**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1251**, Recognizing the Uncompromising Courage art exhibition held at the State Capitol on April 7-11, 2005.

**HR 1251** was read and was adopted.

**HR 1069 - READ  
(by Dutton)**

The chair laid out and had read the following previously adopted resolution:

**HR 1069**, Honoring Houston Astros great James Rodney "J. R." Richard.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Dutton who introduced former Houston Astro James Rodney "J.R." Richard and his friends David Drake, David Drake II, and Reverend Gerald Shanks.

**BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 34).

**POSTPONED BUSINESS**

The following bills were laid before the house as postponed business:

**CSHB 2070 ON SECOND READING**  
**(by Rose and B. Cook)**

**CSHB 2070**, A bill to be entitled An Act relating to a landowner's liability for injuries incurred during certain recreational activities.

**CSHB 2070** was read second time on April 20 and was postponed until 10 a.m. today.

**CSHB 2070** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.) (The vote was reconsidered later today, and **CSHB 2070** was postponed until 10 a.m. May 6.)

**CSHB 634 ON SECOND READING**  
**(by Baxter, Rose, Branch, et al.)**

**CSHB 634**, A bill to be entitled An Act relating to requiring public officials to receive training in the requirements of the open meetings and public information laws.

**CSHB 634** was read second time on April 18, postponed until April 25, and was again postponed until 10 a.m. today.

Representative Baxter moved to postpone consideration of **CSHB 634** until 10 a.m. May 5.

The motion prevailed.

**CSHB 1900 ON SECOND READING**  
**(by Bonnen)**

**CSHB 1900**, A bill to be entitled An Act relating to the assessment and regulation of emissions events.

**CSHB 1900** was read second time on April 25, postponed until April 27, and was again postponed until 10 a.m. today.

(Speaker in the chair)

Representative Bonnen moved to postpone consideration of **CSHB 1900** until 10 a.m. tomorrow.

The motion prevailed.

**HB 3001 ON SECOND READING**  
**(by Morrison, et al.)**

**HB 3001**, A bill to be entitled An Act relating to the amount of the annual constitutional appropriation to certain agencies and institutions of higher education and to the allocation of those funds to those agencies and institutions.

**HB 3001** was read second time on April 27 and was postponed until 10 a.m. today.

**Amendment No. 1 (Committee Amendment No. 1)**

Representative F. Brown offered the following committee amendment to **HB 3001**:

Amend **HB 3001** on page 3, lines 14 and 15 by striking the following: "(includes an allocation of \$1,000,000 for compliance with Texas Desegregation Plan)".

Amendment No. 1 was adopted.

**HB 3001**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 587 ON SECOND READING**  
**(by Rose, Guillen, Leibowitz, and Escobar)**

**HB 587**, A bill to be entitled An Act relating to the installment payment of ad valorem taxes by certain veterans.

**HB 587** was read second time on April 25, postponed until April 28, and was again postponed until 10 a.m. today.

Representative Rose moved to postpone consideration of **HB 587** until 10 a.m. tomorrow.

The motion prevailed.

**GENERAL STATE CALENDAR**  
**HOUSE BILLS**  
**THIRD READING**

The following bills were laid before the house and read third time:

**HB 2266 ON THIRD READING**  
**(by Baxter)**

**HB 2266**, A bill to be entitled An Act relating to the authority of municipalities to enact a requirement that establishes the sales price for certain housing units or residential lots.

**HB 2266** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Burnam and Leibowitz recorded voting no.)

(Madden in the chair)

**CONSTITUTIONAL AMENDMENTS CALENDAR**  
**HOUSE JOINT RESOLUTIONS**  
**SECOND READING**

The following resolutions were laid before the house and read second time:

**CSHJR 56 ON SECOND READING**  
**(by Gattis)**

**CSHJR 56**, A joint resolution proposing a constitutional amendment authorizing the denial of bail to a criminal defendant who violates a condition of the defendant's release pending trial.

Representative Gattis moved to postpone consideration of **CSHJR 56** until 10 a.m. May 6.

The motion prevailed.

**CSHJR 82 ON SECOND READING**  
**(by Hughes)**

**CSHJR 82**, A joint resolution proposing a constitutional amendment clearing land titles by relinquishing and releasing any state claim to sovereign ownership or title to interest in certain land.

Representative Hughes moved to postpone consideration of **CSHJR 82** until 10 a.m. May 9.

The motion prevailed.

**CONSTITUTIONAL AMENDMENTS CALENDAR**  
**SENATE JOINT RESOLUTIONS**  
**SECOND READING**

The following resolutions were laid before the house and read second time:

**CSSJR 7 ON SECOND READING**  
**(Hochberg - House Sponsor)**

**CSSJR 7**, A joint resolution proposing a constitutional amendment authorizing line-of-credit advances under a reverse mortgage.

A record vote was requested.

**CSSJR 7** was adopted by (Record 451): 142 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla;



Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Goodman; Madden(C).

Absent, Excused — Davis, J.; Herrero.

Absent — Eiland; McCall; Truitt.

(Speaker in the chair)

**GENERAL STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

The following bills were laid before the house and read second time:

**CSHB 2833 ON SECOND READING  
(by R. Cook and B. Cook)**

**CSHB 2833**, A bill to be entitled An Act relating to the protection of private real property from regulatory takings.

Representative R. Cook moved to postpone consideration of **CSHB 2833** until 1 p.m. today.

The motion prevailed.

**CSHB 283 ON SECOND READING  
(by Hope, Goolsby, and Raymond)**

**CSHB 283**, A bill to be entitled An Act relating to the transfer of public school students who are the victims of bullying.

**Amendment No. 1**

Representative Raymond offered the following amendment to **CSHB 283**:

Amend **CSHB 283** by adding the following appropriately numbered sections to the bill and renumbering the subsequent sections accordingly:

SECTION \_\_\_\_\_. Section 37.006, Education Code, is amended by adding Subsection (o) to read as follows:

(o) In this subsection, "bullying" has the meaning assigned by Section 25.0341. A student shall be removed from class and placed in a disciplinary alternative education program as provided by Section 37.008 if the student, on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off of school property, including while on a school bus or at a school bus stop, engages in bullying.

SECTION \_\_\_\_\_. This Act applies beginning with the 2005-2006 school year.

Representative Hope moved to table Amendment No. 1.

The motion to table prevailed.

## **Amendment No. 2**

Representatives Keel and Dutton offered the following amendment to **CSHB 283**:

Amend **CSHB 283** by adding the following appropriately numbered section to the bill and renumbering the subsequent sections accordingly:

SECTION \_\_\_\_ . Section 25.001(b), Education Code, is amended to read as follows:

(b) The board of trustees of a school district or its designee shall admit into the public schools of the district free of tuition a person who is over five and younger than 21 years of age on the first day of September of the school year in which admission is sought if:

(1) the person and either parent of the person reside in the school district;

(2) the person does not reside in the school district but a parent of the person resides in the school district and that parent is a joint managing conservator or the sole managing conservator or possessory conservator of the person;

(3) the person and the person's guardian or other person having lawful control of the person under a court order reside within the school district;

(4) the person has established a separate residence under Subsection (d);

(5) the person is homeless, as defined by 42 U.S.C. Section 11302, regardless of the residence of the person, of either parent of the person, or of the person's guardian or other person having lawful control of the person;

(6) the person is a foreign exchange student placed with a host family that resides in the school district by a nationally recognized foreign exchange program, unless the school district has applied for and been granted a waiver by the commissioner under Subsection (e);

(7) the person resides at a residential facility located in the district; ~~or~~

(8) the person resides in the school district and is 18 years of age or older or the person's disabilities of minority have been removed; or

(9) the person does not reside in the school district but the grandparent of the person:

(A) resides in the school district; and

(B) provides a substantial amount of after-school care for the person as determined by the board.

Amendment No. 2 was adopted.

**CSHB 283**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 1095 ON SECOND READING**  
**(by Menendez)**

**CSHB 1095**, A bill to be entitled An Act relating to the offense of harassment by persons in certain correctional facilities and to creating the offense of harassment of public servant.

**CSHB 1095** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1426 ON SECOND READING**  
**(by Anderson)**

**HB 1426**, A bill to be entitled An Act relating to the confidentiality of certain information in a rabies vaccination certificate.

**HB 1426** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 1172 ON SECOND READING**  
**(by F. Brown)**

**CSHB 1172**, A bill to be entitled An Act relating to the tuition charged to resident undergraduate students of institutions of higher education for excess credit hours and to related formula funding.

**Amendment No. 1**

Representative Gonzales offered the following amendment to **CSHB 1172**:

Amend **CSHB 1172** (House committee printing) as follows:

- (1) On page 1, line 15, strike "115" and substitute "120".
- (2) On page 2, line 22, strike "115" and substitute "120".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative F. Brown offered the following amendment to **CSHB 1172**:

Amend **CSHB 1172** (house committee report) as follows:

- (1) On page 2, line 14, strike "Subsection (f)" and substitute "Subsections (f) and (g)".

(2) On page 3, between lines 17 and 18, insert a new Subsection (g) to read as follows:

(g) To the extent practicable, the savings to the state resulting from the exclusion of funding for excess undergraduate semester credit hours from the funding formulas of the board as required by this section shall be used to finance the Toward Excellence, Access, & Success (TEXAS) grant program under Subchapter M, Chapter 56.

Amendment No. 2 was adopted.

### Amendment No. 3

Representative Gallego offered the following amendment to **CSHB 1172**:

Amend **CSHB 1172** (House committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering existing SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Sections 54.0513(a) and (b), Education Code, are amended to read as follows:

(a) In addition to amounts that a governing board of an institution of higher education is authorized to charge as tuition under the other provisions of this chapter, the governing board [~~under the terms the governing board considers appropriate,~~] may charge any student for an academic period an amount designated as tuition not to exceed the amount charged to the student under Section 54.051 or 54.0512, as applicable, for that academic period [~~that the governing board considers necessary for the effective operation of the institution~~].

(b) Subject to the limit provided by Subsection (a) on the amount designated as tuition charged under this section, a [A] governing board may set a different tuition rate under this section for each program and course level offered by each institution of higher education [~~A governing board may set a different tuition rate~~] as the governing board considers appropriate to increase graduation rates, encourage efficient use of facilities, ~~or~~ enhance employee performance, or further another legitimate purpose of the institution.

SECTION \_\_\_\_\_. Sections 54.0515 (e) and (f), Education Code, are amended to read as follows:

(e) It is the legislature's intent that each institution of higher education [~~as a condition to tuition deregulation under Section 54.0513,~~] reasonably implement the following:

(1) each institution shall make satisfactory progress towards the goals provided in its master plan for higher education and in "Closing the Gaps," the state's master plan for higher education; and

(2) each institution shall meet acceptable performance criteria, including measures such as graduation rates, retention rates, enrollment growth, educational quality, efforts to enhance minority participation, opportunities for financial aid, and affordability.

(f) The committee shall:

(1) meet at the call of either chair;

(2) monitor and regularly report to the legislature on each institution of higher education's compliance with the requirements of Subsection (e); and

(3) receive and review information concerning the affordability and accessibility of higher education [~~including the impact of tuition deregulation~~].

SECTION \_\_\_\_\_. Subchapter B, Chapter 56, Education Code, is repealed.

SECTION \_\_\_\_\_. (a) The changes in law made by this Act in amending Sections 54.0513 and 54.0515, Education Code, apply beginning with tuition charged by an institution of higher education for the 2005–2006 academic year. Tuition charged by an institution of higher education in an academic year before that academic year is covered by the law in effect before the effective date of this Act, and the former law is continued in effect for that purpose.

(b) Tuition set aside under Subchapter B, Chapter 56, Education Code, before the 2005-2006 academic year that was not used as provided by that subchapter before that academic year shall be used as provided by that subchapter as it existed immediately before the effective date of this Act, and that subchapter is continued in effect for that purpose.

**Amendment No. 3 - Point of Order**

Representative Grusendorf raised a point of order against further consideration of Amendment No. 3 under Rule 11, Section 3 of the House Rules on the grounds that the amendment changes the original purpose of the bill.

The speaker sustained the point of order.

The ruling precluded further consideration of Amendment No. 3.

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence temporarily for today because of important business:

Baxter on motion of Solomons.

**CSHB 1172 - (consideration continued)**

**CSHB 1172**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Menendez and Riddle recorded voting no.)

**HB 2241 ON SECOND READING  
(by Callegari)**

**HB 2241**, A bill to be entitled An Act relating to the authority of certain municipalities to require a contract between a municipal utility district and the municipality before the district issues obligations.

**HB 2241** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Public Health, upon lunch recess today, Desk 39, for a formal meeting, to consider pending legislation.

Elections, upon lunch recess today, Desk 58, for a formal meeting, to consider pending business.

Culture, Recreation, and Tourism, upon lunch recess today, Desk 66, for a formal meeting, to consider pending business.

County Affairs, upon lunch recess today, Desk 1, for a formal meeting, to consider pending business.

Border and International Affairs, upon lunch recess today, Desk 75, for a formal meeting, to consider pending business.

### **FIVE DAY POSTING RULE SUSPENDED**

Representative Swinford moved to suspend the five day posting rule to allow the Committee on State Affairs to consider **HB 2264** and other posted bills at 2 p.m. or upon final adjournment today in E2.010.

The motion prevailed.

### **RECESS**

At 11:44 a.m., the speaker announced that the house would stand recessed until 1 p.m. today.

### **AFTERNOON SESSION**

The house met at 1 p.m. and was called to order by the speaker.

### **POSTPONED BUSINESS**

The following bills were laid before the house as postponed business:

#### **HB 1396 ON SECOND READING (by Zedler)**

**HB 1396**, A bill to be entitled An Act relating to a pilot program for language interpreter services under the medical assistance program.

**HB 1396** was read second time on April 19, postponed until April 25, and was again postponed until 1 p.m. today.

Representative Zedler moved to postpone consideration of **HB 1396** until 10 a.m. tomorrow.

The motion prevailed.

(P. King in the chair)

#### **CSHB 2833 ON SECOND READING (by R. Cook and B. Cook)**

**CSHB 2833**, A bill to be entitled An Act relating to the protection of private real property from regulatory takings.

**CSHB 2833** was read second time earlier today and was postponed until 1 p.m. today.

(Baxter now present)

### **Amendment No. 1**

Representatives R. Cook and Puente offered the following amendment to **CSHB 2833**:

Amend **CSHB 2833** as follows:

(1) On page 2, line 5, between "(C)" and "a governmental action", insert "except as provided by Section 2007.003(g)".

(2) On page 7, between lines 23 and 24, insert the following:

(g) For the purposes of the definition of "taking" in Section 2007.002(5)(C), a home rule municipality with a population of more than 1.1 million that relies on a sole source aquifer for more than 50 percent of the municipality's water supply may elect, with respect to single family and duplex uses over an aquifer recharge zone within the municipality's corporate and extraterritorial jurisdiction, to define a taking as an action or series of actions by the municipality that has the effect of limiting the overall impervious cover of any development or use of an owner's private real property to not less than 30 percent of the surface area of the property, including any portion of the property that is within the 100-year floodplain as determined by the most recent maps published by the Federal Emergency Management Agency or that slopes more than 35 degrees.

### **Amendment No. 2**

Representative R. Cook offered the following amendment to Amendment No. 1:

Amend Floor Amendment No. 1 by R. Cook and Puente to **CSHB 2833** on page 1, line 20, by striking "degrees" and substituting "percent".

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

### **Amendment No. 3**

Representative R. Cook offered the following amendment to **CSHB 2833**:

Amend **CSHB 2833** as follows:

(1) On page 3, line 8, between "proceedings," and "or", insert "platting,".

(2) On page 9, line 8, strike "and (2)".

(3) On page 9, strike lines 10 and 11 and substitute the following:

SECTION 6. Section 2007.042, Government Code, is amended to read as follows:

(4) On page 9, line 12, before "(a)", insert "Sec. 2007.042. PUBLIC NOTICE."

(5) On page 9, line 13, strike "or (2)".

(6) On page 9, after line 27, insert the following:

(b) A state agency that proposes to engage in a governmental action described in Section 2007.003(a)(1) [~~or (2)~~] that may result in a taking shall:

(1) provide notice in the manner prescribed by Section 2001.023; and

(2) file with the secretary of state for publication in the Texas Register in the manner prescribed by Chapter 2002 a reasonably specific summary of the takings impact assessment that was prepared by the agency as required by this subchapter.

(7) On page 10, before line 1, insert the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. Section 2007.043(a), Government Code, is amended to read as follows:

(a) A governmental entity shall prepare a written takings impact assessment of a proposed governmental action described in Section 2007.003(a)(1) [~~through (3)~~] that complies with the evaluation guidelines developed by the attorney general under Section 2007.041 before the governmental entity provides the public notice required under Section 2007.042.

(8) On page 10, line 12, strike "or (2)".

(9) On page 10, between lines 22 and 23, insert the following appropriately numbered SECTIONS:

SECTION \_\_\_\_\_. Section 2007.045, Government Code, is amended to read as follows:

Sec. 2007.045. UPDATING OF CERTAIN ASSESSMENTS REQUIRED. A state agency that proposes to adopt a governmental action described in Section 2007.003(a)(1) [~~or (2)~~] that may result in a taking as indicated by the takings impact assessment shall update the assessment if the action is not adopted before the 180th day after the date the notice is given as required by Section 2001.023.

SECTION \_\_\_\_\_. (a) The change in law made by this Act applies only to:

(1) a governmental action described by Section 2007.003(a)(1) or (2), Government Code, that commences on or after April 1, 2005; or

(2) a governmental action described by Section 2007.003(a)(3), Government Code, that commences on or after April 1, 2005, to enforce or implement any ordinance, rule, regulatory requirement, platting requirement, resolution, policy, guideline, or similar measure in effect on or after April 1, 2005.

(b) The change in law made by this Act may not be construed to create any claim or cause of action for:

(1) a governmental action described by Section 2007.003(a)(1) or (2), Government Code, that commences before April 1, 2005; or

(2) a governmental action described by Section 2007.003(a)(3), Government Code, that commences before April 1, 2005, to enforce or implement any ordinance, rule, regulatory requirement, platting requirement, resolution, policy, guideline, or similar measure in effect before April 1, 2005.

(10) Renumber SECTIONS of the bill appropriately.

Amendment No. 3 was adopted.

#### Amendment No. 4

Representative R. Cook offered the following amendment to **CSHB 2833**:

Amend **CSHB 2833** as follows:

(1) On page 6, line 4, strike "or".

(2) On page 6, line 6, between "groundwater" and the period, insert the following:

; or

(7) an action taken by a municipality relating to the regulation of:

(A) sexually oriented businesses;

(B) the sale of fireworks;

(C) discharge of firearms;



(D) weeds or other unsanitary or unwholesome matter on public or private property;

(E) junked or abandoned vehicles;

(F) noise;

(G) alcohol, including hours of sale; or

(H) smoking in or on public or private property.

Amendment No. 4 was adopted.

#### **Amendment No. 5**

Representative R. Cook offered the following amendment to **CSHB 2833**:

Amend **CSHB 2833** on page 2, line 11, by striking "35 percent" and substituting "35 degrees".

Amendment No. 5 was withdrawn.

#### **Amendment No. 6**

Representative Burnam offered the following amendment to **CSHB 2833**:

Amend **CSHB 2833** (First Printing) by inserting the following appropriately-numbered SECTION and renumbering subsequent SECTIONS accordingly:

"SECTION \_\_\_\_ . Section 2007.024, Government Code is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) The judgment or final decision or order shall include a fact finding that determines, in accordance with Subsection (b-1), the monetary damages suffered by the private real property owner as a result of the taking. The amount of damages is determined from the date of the taking.

(b-1) If, on the date of the taking, the private real property is designated for and appraised at agricultural use under Chapter 23, Tax Code, the fact finding must deduct from the monetary damages suffered by the private real property owner as a result of the taking an amount equal to the difference of:

(1) the amount of taxes the owner paid based on the agricultural use appraisal of the private real property; and

(2) the amount of taxes the owner would have paid if the private real property has been appraised at its current market value.

The fact finding shall perform this calculation separately for each of the five calendar years prior to the date of the taking for which the property was appraised for agricultural use."

#### **CSHB 2833 - POINT OF ORDER**

Representative Rodriguez raised a point of order against further consideration of **CSHB 2833** under Rule 4, Section 32(c) of the House Rules on the grounds that a section number cited in the bill analysis is incorrect.

(Speaker in the chair)

The speaker sustained the point of order, speaking as follows:

Representative Rodriguez raises a point of order against further consideration of **CSHB 2833** under Rule 4, Section 32(c), in that the bill analysis for the bill was incorrect and misleading.

The chair has reviewed the bill and the bill analysis. The bill analysis describing Section 7 of the bill incorrectly states and describes the section of Government Code added by the bill.

Additionally, the bill analysis describing Sections 3 and 4 of the bill incorrectly states and describes the types of lawsuits affected by the bill.

Because of these errors in the bill analysis, the point of order is well-taken and sustained.

The ruling precluded further consideration of **CSHB 2833**.

**GENERAL STATE CALENDAR**  
**(consideration continued)**  
**CSHB 159 ON SECOND READING**  
**(by Talton)**

**CSHB 159**, A bill to be entitled An Act relating to expenditures of funds by a political subdivision to advertise a referendum.

**Amendment No. 1**

Representative Talton offered the following amendment to **CSHB 159**:

Amend **CSHB 159** as follows:

(1) On page 1, line 7, strike "POLITICAL SUBDIVISION" and substitute "SCHOOL DISTRICT".

(2) On page 1, on lines 8 and 9, strike "and \"political subdivision\" have the meanings" and substitute "has the meaning".

(3) On page 1, line 11, strike "political subdivision" and substitute "school district".

(4) On page 1, line 17, strike ", a municipal charter".

Amendment No. 1 was adopted.

**CSHB 159**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Anchia, Menendez, and Villarreal recorded voting no.)

**SB 446 ON SECOND READING**  
**(Martinez - House Sponsor)**

**SB 446**, A bill to be entitled An Act relating to the reduction in value or expiration of a stored value card.

**SB 446** was considered in lieu of **HB 255**.

**Amendment No. 1**

Representative Martinez offered the following amendment to **SB 446**:

Amend **SB 446** (Senate Engrossed Version) as follows:

(1) In SECTION 1 of the bill (page 1, line 22), between "loyalty," and "or", insert "incentive, rebate,".

(2) In SECTION 1 of the bill (page 2, line 9), strike "or".

(3) In SECTION 1 of the bill (page 2, line 11), strike "at the time of purchase" and substitute "a fee described in Subsection (d); or".

(4) In SECTION 1 of the bill (page 2, between lines 11 and 12), add the following new subsection (6):

(6) "is issued by an air carrier holding a certificate of public convenience and necessity under Title 49 U.S.C."

(5) In SECTION 1 of the bill (page 2, line 19), between "card" and "and" insert the following: "a reasonable access fee for a card transaction conducted at an unmanned teller machine, as defined by Section 59.301, Finance Code,".

(6) In SECTION 1 of the bill (page 3, lines 3-6), strike "A disclosure must be legibly printed on the retail packaging for the stored value card or on a posted notice accompanying the sales display."

(7) In SECTION 1 of the bill (page 3, between lines 11 and 12), add the following new subsection (g):

(g) This section does not create a cause of action against a person who issues or sells a stored value card.

(8) In SECTION 3 of the bill (page 4, line 17), strike "A" and substitute "If the", (page 4, line 18), strike "shall" and substitute "does not", (page 4 lines 20-21), strike "In the absence of an address record".

(9) In SECTION 3 of the bill (page 5, between lines 2 and 3), add the following new subsection (f):

(f) This section does not create a cause of action against a person who issues or sells a stored value card.

Amendment No. 1 was adopted.

**SB 446**, as amended, was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

### **HB 255 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Martinez moved to lay **HB 255** on the table subject to call.

The motion prevailed.

### **CSHB 664 ON SECOND READING**

(by Isett, et al.)

**CSHB 664**, A bill to be entitled An Act relating to consideration of a bidder's principal place of business in awarding certain municipal and school district contracts.

**CSHB 664** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 681 ON SECOND READING**  
**(by Gattis)**

**HB 681**, A bill to be entitled An Act relating to the forfeiture of good conduct time from inmates who file frivolous applications for writ of habeas corpus.

Representative Gattis moved to postpone consideration of **HB 681** until 10 a.m. May 4.

The motion prevailed.

**HB 1249 ON SECOND READING**  
**(by Reyna)**

**HB 1249**, A bill to be entitled An Act relating to criminal punishment for aggressive driving that results in the death of a person.

**HB 1249** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1048 ON SECOND READING**  
**(by Chisum)**

**HB 1048**, A bill to be entitled An Act relating to the forfeiture of contraband used or intended to be used in the commission of certain criminal offenses.

**HB 1048** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 2405 ON SECOND READING**  
**(by Keel)**

**HB 2405**, A bill to be entitled An Act relating to prohibiting a person not entitled to receive an early voting ballot by mail from casting that ballot; providing a criminal penalty.

**Amendment No. 1**

Representatives Keel and Hodge offered the following amendment to **HB 2405**:

Amend **HB 2405** by striking added Section 84.001(g), Election Code (committee printing page 1, lines 13-16), and substituting the following:

(g) A person commits an offense if, with the intent that an unlawful ballot be cast, the person directs the return of a marked early voting ballot by mail as provided by Section 86.006 with the knowledge that the ballot is from a voter who is not entitled to receive an early voting ballot to be voted by mail. An offense under this subsection is a Class C misdemeanor.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative J. Jones offered the following amendment to **HB 2405**:

Amend **HB 2405** by adding the following appropriately numbered section and by renumbering the remaining sections as appropriate:

SECTION \_\_\_\_ . Section 86.002, Election Code, is amended by adding Subsection (h) to read as follows:

(h) The clerk shall include with the balloting materials a notice in a form prescribed by the secretary of state:

(1) informing the voter of the categories of persons who are eligible to vote by mail; and

(2) stating that the voter should not cast the ballot unless the voter or a person authorized by this code to assist the voter requested the ballot.

Amendment No. 2 was adopted.

**HB 2405**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Leibowitz, Menendez, and Rose recorded voting no.)

**CSHB 1579 ON SECOND READING**

**(by Kolkhorst, Eiland, Griggs, T. Smith, Berman, et al.)**

**CSHB 1579**, A bill to be entitled An Act relating to eligibility for benefits of and reports concerning certain retired members of the Teacher Retirement System of Texas; imposing a penalty.

**Amendment No. 1**

Representatives Chisum and Kolkhorst offered the following amendment to **CSHB 1579**:

Amend **CSHB 1579** on page 4 between lines 26 and 27 by inserting the following:

(f) This section does not prevent an employer and a retiree from negotiating and entering into a contract that allows both parties to contribute to the amounts the employer must contribute to the retirement system under Subsections (b) and (c).

Amendment No. 1 was adopted.

**CSHB 1579**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 1899 ON SECOND READING**

**(by Bonnen)**

**CSHB 1899**, A bill to be entitled An Act relating to the regulation and permitting of a commercial industrial solid waste facility connected to a publicly owned treatment works facility.

Representative Bonnen moved to postpone consideration of **CSHB 1899** until 10 a.m. May 5.

The motion prevailed.

**CSHB 1662 ON SECOND READING**  
**(by Gattis and Hopson)**

**CSHB 1662**, A bill to be entitled An Act relating to the eligibility of a criminal defendant for release from jail after a delay in prosecution.

Representative Gattis moved to postpone consideration of **CSHB 1662** until 10 a.m. May 6.

The motion prevailed.

**HB 2623 ON SECOND READING**  
**(by Phillips and R. Cook)**

**HB 2623**, A bill to be entitled An Act relating to the distribution by the Texas Department of Transportation of certain assistance for the repair and maintenance of county roads.

**HB 2623** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 3115 ON SECOND READING**  
**(by Corte)**

**CSHB 3115**, A bill to be entitled An Act relating to certain homeland security activities, including the operation of the Critical Infrastructure Protection Council by the office of the governor.

**Amendment No. 1**

Representative Rose offered the following amendment to **CSHB 3115**:

Amend **CSHB 3115** as follows:

(1) On page 3, lines 12-13, strike "and (3)" and insert the following:

(3) for each of the following sectors of the state, one representative of a state agency, one county-level representative, one municipal-level representative, and one representative of a private organization or entity, each appointed by the governor:

- (A) law enforcement;
- (B) emergency management;
- (C) first responders; and
- (D) fire fighters; and

(4)

(2) On page 4, strike lines 1-14 and substitute the following:

(G) ports and maritime industries [~~(7) Department of Public Safety of the State of Texas~~];

(H) environment and water [~~(8) division of emergency management of the office of the governor~~];

(I) transportation [~~(9) Texas National Guard~~]; and  
(J) border issues [~~(10) Texas Commission on Environmental~~  
Quality];  
[~~(11) Railroad Commission of Texas~~];  
[~~(12) Texas Strategic Military Planning Commission~~; and]  
[~~(13) Texas Department of Transportation~~].

Amendment No. 1 was adopted.

**CSHB 3115**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 3460 ON SECOND READING**  
(by Baxter)

**CSHB 3460**, A bill to be entitled An Act relating to the interest rate to be paid on the deposits made by customers of a water, electric, gas, or telephone utility.

(Rose in the chair)

**CSHB 3460** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Leibowitz recorded voting no.)

(Speaker in the chair)

**CSHB 1235 ON SECOND READING**  
(by Paxton)

**CSHB 1235**, A bill to be entitled An Act relating to the notice required for a sale of real property under a contract lien.

**CSHB 1235** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1919 ON SECOND READING**  
(by R. Allen)

**HB 1919**, A bill to be entitled An Act relating to notice in certain real property transactions concerning public improvement districts.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Elkins, Representative R. Allen offered the following committee amendment to **HB 1919**:

Amend **HB 1919** as follows:

(2) On Page 3, Line 24, strike "September 1, 2005" and substitute "January 1, 2006."

Amendment No. 1 was adopted.

**HB 1919**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 2135 ON SECOND READING**  
**(by Phillips, Hamric, Truitt, Homer, and Woolley)**

**CSHB 2135**, A bill to be entitled An Act relating to the creation of a tourist-oriented directional sign program.

**CSHB 2135** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 2966 ON SECOND READING**  
**(by Seaman)**

**HB 2966**, A bill to be entitled An Act relating to the criminal penalty for violating certain statutes enforceable by, or ordinances, rules, or regulations of, navigation districts or port authorities.

**HB 2966** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 1706 ON SECOND READING**  
**(by Denny, Pitts, Woolley, Nixon, Bohac, et al.)**

**CSHB 1706**, A bill to be entitled An Act relating to requiring a voter to present proof of identification.

(Krusee in the chair)

**Amendment No. 1**

Representative Chavez offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** as follows:

(1) On page 1, lines 5-6, strike "Subsection (g)" and substitute "Subsections (g) and (h)".

(2) On page 2, between lines 2 and 3, insert the following:

(h) The requirements for identification prescribed by Subsection (b)(1) or (2) do not apply to a voter who:

(1) presents the voter's voter registration certificate on offering to vote;  
and

(2) is 50 years of age or older as indicated by the date of birth on the voter's voter registration certificate.

Representative Denny moved to table Amendment No. 1.

A record vote was requested.



The motion to table prevailed by (Record 452): 84 Yeas, 59 Nays, 2 Present, not voting.

Yeas — Allen, R.; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Corte; Crabb; Crownover; Dawson; Delisi; Denny; Driver; Eissler; Elkins; Flynn; Gattis; Geren; Goodman; Goolsby; Griggs; Grusendorf; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Hope; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; Kolkhorst; Kuempel; Laubenberg; Madden; McCall; Merritt; Miller; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pitts; Reyna; Riddle; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hochberg; Hodge; Homer; Hopson; Jones, J.; King, T.; Laney; Leibowitz; Luna; Martinez; Martinez Fischer; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Pickett; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Solis; Strama; Thompson; Turner; Uresti; Veasey; Villarreal.

Present, not voting — Mr. Speaker; Krusee(C).

Absent, Excused — Davis, J.; Herrero.

Absent — McClendon; Oliveira; Vo.

## **Amendment No. 2**

Representative Anchia offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** as follows:

(1) On page 1, lines 7-13, strike amended Section 63.001(b), Election Code, and substitute the following:

(b) On offering to vote, a voter must present to an election officer at the polling place either:

(1) the voter's voter registration certificate;

(2) one form of identification listed in Section 63.0101(a); or

(3) two different forms of identification listed in Section 63.0101(b) [~~to an election officer at the polling place~~].

(2) On page 1, lines 18-20, strike amended Section 63.001(d), Election Code, and substitute the following:

(d) If the voter's name is on the precinct list of registered voters, the voter shall be accepted for voting if:

(1) the voter presents the voter's voter registration certificate; or

(2) the voter presents identification required by Subsection (b)(2) or (3) and executes the affidavit required under Section 63.008(a).

(3) On page 2, line 1, strike "Subsection (b)(1) or (2)" and substitute "Subsection (b)".

(4) On page 2, lines 3-27, and page 3, lines 1-2, strike Sections 2 and 3 of the bill and renumber the remaining sections appropriately.

(5) On page 5, lines 20 and 21, strike "Sections 63.011(a) and (b), Election Code, are amended" and substitute "Section 63.011(a), Election Code, is amended".

(6) On page 6, lines 1-10, strike amended Section 63.011(b), Election Code.

(7) On page 6, lines 11-27, and page 7, lines 1-5, strike Sections 7 and 8 of the bill and renumber the remaining sections appropriately.

### **MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

### **CSHB 1706 - (consideration continued)**

Representative Denny moved to table Amendment No. 2.

A record vote was requested.

The motion to table prevailed by (Record 453): 75 Yeas, 62 Nays, 2 Present, not voting.

Yeas — Allen, R.; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Corte; Crabb; Crownover; Dawson; Delisi; Denny; Eissler; Elkins; Flynn; Gattis; Goodman; Goolsby; Griggs; Grusendorf; Haggerty; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hope; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; Kolkhorst; Kuempel; Laubenberg; Madden; McCall; Morrison; Nixon; Orr; Otto; Paxton; Pitts; Reyna; Riddle; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hamilton; Hochberg; Hodge; Homer; Hopson; Jones, J.; King, T.; Laney; Luna; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Pickett; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Solis; Strama; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker; Krusee(C).

Absent, Excused — Davis, J.; Herrero.

Absent — Driver; Hamric; Hill; Leibowitz; Merritt; Miller; Mowery; Oliveira; Phillips.

### **STATEMENT OF VOTE**

When Record No. 453 was taken, my vote failed to register. I would have voted no.

Leibowitz

**Amendment No. 3**

Representative Raymond offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** on page 3, line 20, between "Department of Public Safety" and "that", by inserting "or the equivalent agency of another state".

Amendment No. 3 was adopted.

**Amendment No. 4**

Representative Strama offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** on page 4, line 11, by striking "located in Texas".

Amendment No. 4 was adopted.

**Amendment No. 5**

Representative Strama offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** as follows:

(1) On page 4, line 13, strike "or".

(2) On page 4, line 15, strike the period and substitute "; or".

(3) On page 4, between lines 15 and 16, insert the following:

(8) an identification card issued by a state agency of this state that contains the person's photograph.

Amendment No. 5 was adopted.

(Speaker in the chair)

**Amendment No. 6**

Representative Coleman offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** as follows:

(1) On page 5, line 20, strike "Sections 63.011(a) and (b), Election Code, are" and substitute "Section 63.011(a), Election Code, is".

(2) On page 6, lines 1-10, strike amended Section 63.011(b).

(3) On page 6, lines 11-27, and page 7, lines 1-5, strike SECTIONS 7 and 8 of the bill, substitute the following appropriately numbered section, and renumber the remaining sections of the bill appropriately:

SECTION \_\_. Section 65.054, Election Code, is amended by adding Subsection (e) to read as follows:

(e) A provisional ballot may not be rejected solely because the voter failed to meet the requirements for identification prescribed by Section 63.001(b)(1) or (2).

Representative Denny moved to table Amendment No. 6.

A record vote was requested.

The motion to table prevailed by (Record 454): 84 Yeas, 60 Nays, 1 Present, not voting.

Yeas — Allen, R.; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Corte; Crabb; Crownover; Dawson; Delisi; Denny; Driver; Eissler; Elkins; Flynn; Gattis; Geren; Goodman; Goolsby; Griggs; Grusendorf; Haggerty; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Hope; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; Kolkhorst; Krusee; Kuempel; Laubenberg; Madden; McCall; Merritt; Miller; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pitts; Reyna; Riddle; Seaman; Smith, T.; Smith, W.; Smith; Solomons; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Davis, Y.; Deshotel; Dukes; Dunnam; Edwards; Eiland; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hamilton; Hochberg; Hodge; Homer; Hopson; Jones, J.; King, T.; Laney; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Pickett; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Solis; Strama; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Davis, J.; Herrero.

Absent — Cook, R.; Dutton; Oliveira.

### **BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 13).

### **MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 3).

### **CSHB 1706 - (consideration continued)**

#### **Amendment No. 7**

Representative Escobar offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** as follows:

- (1) On page 4, line 13, strike "or".
- (2) On page 4, line 15, strike the period and substitute "; or".
- (3) On page 4, between lines 15 and 16, insert the following:

(8) an identification card that contains the person's photograph and is issued by a county elections administrator or a county clerk.

- (4) On page 5, between lines 19 and 20, insert the following:

(c) The commissioners court of a county may authorize the county elections administrator or the county clerk, as applicable, to issue photo identification cards that may be used as proof of a voter's identification under Subsection (a).

Amendment No. 7 was adopted.

### **Amendment No. 8**

Representative Hochberg offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** as follows:

(1) Strike SECTIONS 7 and 8 of the bill.

(2) Add a new appropriately numbered section to read as follows:

SECTION \_\_\_\_ Section 65.054, Election Code, is amended by adding Subsection (e) to read as follows:

(e) A provisional ballot may not be rejected on the basis of the failure of the voter to present proof of identification as described by Section 63.001(b)(1) or (2) unless the board determines that the voter is not the person whom the voter claimed to be in executing an affidavit under Section 63.011.

(3) Renumber the remaining SECTIONS of the bill as appropriate.

Representative Denny moved to table Amendment No. 8.

A record vote was requested.

The motion to table prevailed by (Record 455): 83 Yeas, 62 Nays, 1 Present, not voting.

Yeas — Allen, R.; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Corte; Crabb; Crownover; Dawson; Delisi; Denny; Driver; Eissler; Elkins; Flynn; Gattis; Geren; Goodman; Goolsby; Griggs; Grusendorf; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Hope; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; King, P.; Kolkhorst; Krusee; Kuempel; Laubenberg; Luna; Madden; McCall; Merritt; Miller; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pitts; Reyna; Riddle; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Haggerty; Hamilton; Hochberg; Hodge; Homer; Hopson; Jones, J.; King, T.; Laney; Leibowitz; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Pickett; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Solis; Strama; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Davis, J.; Herrero.

Absent — Keffer, J.; Oliveira.

### **Amendment No. 9**

Representative Anchia offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** on page 7, line 24, by striking "September 1, 2005" and substituting "September 1, 2008".

Representative Denny moved to table Amendment No. 9.

A record vote was requested.

The motion to table prevailed by (Record 456): 81 Yeas, 62 Nays, 1 Present, not voting.

Yeas — Allen, R.; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Corte; Crabb; Crownover; Dawson; Delisi; Denny; Driver; Eissler; Elkins; Flynn; Gattis; Goodman; Goolsby; Griggs; Grusendorf; Haggerty; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Hope; Howard; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; Kolkhorst; Krusee; Kuempel; Laubenberg; Madden; McCall; Merritt; Miller; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Pitts; Reyna; Riddle; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hamilton; Hochberg; Hodge; Homer; Hopson; Hughes; Jones, J.; King, T.; Laney; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Olivo; Peña; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Solis; Strama; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Davis, J.; Herrero.

Absent — Noriega, M.; Oliveira; Phillips; Pickett.

### STATEMENT OF VOTE

When Record No. 456 was taken, I was in the house but away from my desk. I would have voted yes.

Phillips

### Amendment No. 10

Representative Veasey offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** by adding the following appropriately numbered sections to the bill and renumbering the remaining sections appropriately:

SECTION \_\_\_\_\_. Subchapter C, Chapter 32, Election Code, is amended by adding Section 32.0511 to read as follows:

Sec. 32.0511. TRAINING REQUIRED. A person must complete the training required by Section 32.116 to be eligible to serve as an election judge or clerk.

SECTION \_\_\_\_\_. Section 32.115, Election Code, is amended to read as follows:

Sec. 32.115. SECRETARY OF STATE TO ASSIST IN TRAINING. On request of a county executive committee or a county clerk, as appropriate, the secretary of state shall schedule and provide assistance for the training of election judges and clerks under Section 32.113, ~~[or]~~ 32.114, or 32.116. The secretary may provide similar training assistance to other political subdivisions.

SECTION \_\_. Subchapter F, Chapter 32, Election Code, is amended by adding Section 32.116 to read as follows:

Sec. 32.116. REQUIRED TRAINING FOR ELECTION OFFICERS. The governing body of a political subdivision and the county executive committee of a political party shall provide the election officers serving the polling places on election day with the instruction and training necessary for following the proper procedure for accepting a voter under Chapter 63.

Representative Denny moved to table Amendment No. 10.

A record vote was requested.

The motion to table prevailed by (Record 457): 80 Yeas, 61 Nays, 1 Present, not voting.

Yeas — Allen, R.; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Cook, B.; Corte; Crabb; Crownover; Dawson; Delisi; Denny; Driver; Eissler; Elkins; Flynn; Gattis; Goodman; Goolsby; Griggs; Grusendorf; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hilderbran; Hill; Hope; Howard; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; King, P.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Madden; McCall; Merritt; Miller; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Pitts; Reyna; Riddle; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hochberg; Hodge; Homer; Hopson; Jones, J.; King, T.; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Pickett; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Solis; Strama; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Davis, J.; Herrero.

Absent — Chisum; Hegar; Hughes; Keffer, J.; Oliveira; Phillips.

#### **Amendment No. 11**

Representatives Chavez and Turner offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** by adding a new appropriately numbered section to read as follows and renumbering subsequent sections of the bill accordingly:

SECTION \_\_\_\_ Chapter 62, Election Code, is amended by adding Section 62.016 to read as follows:

Sec. 62.016. NOTICE OF ACCEPTABLE IDENTIFICATION OUTSIDE POLLING PLACES. The presiding judge shall post in a prominent place on the outside of each polling location a list of the acceptable forms of photographic and non-photographic identification. The list must be printed using a font that is at least 24 point.

#### **Amendment No. 12**

Representatives Alonzo and Chavez offered the following amendment to Amendment No. 11:

Amend the Chavez amendment to **CSHB 1706** as follows:

(1) On line 8, between "location" and "a", insert "notice that a provisional ballot will be provided to a person who executes the appropriate affidavit and".

(2) On line 10, strike the last sentence and substitute the following:

The notice and list must be printed:

(1) in English, Spanish, and any other language appropriate to the precinct in which the polling place is located; and

(2) using a font that is at least 24 point.

Amendment No. 12 was adopted.

Amendment No. 11, as amended, was adopted.

#### **Amendment No. 13**

Representative Hopson offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** by adding a new appropriately numbered section to read as follows and by renumbering the existing sections as appropriate:

SECTION \_\_\_\_ Chapter 63, Election Code, is amended by adding Section 63.0012 to read as follows:

Sec. 63.0012. USE OF ADDRESS ON IDENTIFICATION. (a) This section applies only to a voter who:

(1) presents a registration certificate;

(2) is on the list of registered voters for the precinct; and

(3) confirms the address on the list of registered voters is current under

Section 63.0011.

(b) In verifying the identity of a voter described by Subsection (a) under Section 63.001, an election officer may not consider whether the voter's address on a form described by Section 63.001(b)(1) or (2) matches the voter's address on the registration certificate or the list of registered voters.

Amendment No. 13 was adopted.

#### **Amendment No. 14**

Representative Alonzo offered the following amendment to **CSHB 1706**:

Amend **CSHB 1706** by adding the following appropriately numbered section and renumbering the remaining section of the bill as appropriate:

SECTION \_\_\_\_ The changes in law made by this Act take effect only if:



(1) the United States District Court for the District of Columbia issues a declaratory judgement under 42 U.S.C. Section 1973c that this Act does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color or in contravention of the guarantees set forth in 42 U.S.C. Section 1973b(f)(2); or

(2) the secretary of state submits this Act to the United States Attorney General under 42 U.S.C. Section 1973c and the attorney general does not interpose an objection within the time provided by that section.

Amendment No. 14 was adopted.

A record vote was requested.

**CSHB 1706**, as amended, was passed to engrossment by (Record 458): 83 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allen, R.; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Corte; Crabb; Crownover; Dawson; Delisi; Denny; Driver; Eissler; Elkins; Flynn; Gattis; Goodman; Goolsby; Griggs; Grusendorf; Haggerty; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Hope; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Keel; Keffer, B.; Keffer, J.; King, P.; Kolkhorst; Krusee; Kuempel; Laubenberg; Madden; McCall; Merritt; Miller; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pickett; Pitts; Reyna; Riddle; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hamilton; Hochberg; Hodge; Homer; Hopson; Jones, D.; Jones, J.; King, T.; Laney; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Solis; Strama; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Davis, J.; Herrero.

Absent — Oliveira.

### **CSHB 2070 - VOTE RECONSIDERED**

Representative Rose moved to reconsider the vote by which **CSHB 2070** was passed to engrossment.

The motion to reconsider prevailed.

### **CSHB 2070 ON SECOND READING** **(by Rose and B. Cook)**

**CSHB 2070**, A bill to be entitled An Act relating to a landowner's liability for injuries incurred during certain recreational activities.

Representative Rose moved to postpone consideration of **CSHB 2070** until 10 a.m. May 6.

The motion prevailed.

**HB 1986 ON SECOND READING**  
**(by Solomons)**

**HB 1986**, A bill to be entitled An Act relating to the administration and powers of a coordinated county transportation authority.

**Amendment No. 1**

Representative Solomons offered the following amendment to **HB 1986**:

Amend **HB 1986** on page 2, line 18, between "(5)" and "operate", by inserting "acquire, construct, develop, plan, own,".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Solomons offered the following amendment to **HB 1986**:

Amend **HB 1986** by striking SECTION 7 of the bill and renumbering subsequent SECTIONS of the bill as appropriate.

Amendment No. 2 was adopted.

**HB 1986**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Keel, Leibowitz, and Rose recorded voting no.)

**CSHB 2799 ON SECOND READING**  
**(by Talton)**

**CSHB 2799**, A bill to be entitled An Act relating to the removal of vehicles and property from a roadway in a political subdivision and to the authority of a political subdivision to establish a traffic incident management program.

**Amendment No. 1**

Representative Talton offered the following amendment to **CSHB 2799**:

Amend **CSHB 2799** as follows:

1. On page 6, lines 15-16, delete subsection (i) and insert the following:

(i) In connection with its traffic incident management program, a political subdivision shall not enter into any agreement that would:

(1) monopolize any part of trade or commerce; or

(2) have the effect of lessening competition substantially in any line of trade or commerce.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Hill offered the following amendment to **CSHB 2799**:

Amend **CSHB 2799** by adding the following appropriately numbered sections to the bill and renumbering existing sections accordingly:

SECTION \_\_\_\_\_. Section 683.011(b), Transportation Code, is amended to read as follows:

(b) A law enforcement agency may use agency personnel, equipment, and facilities or contract for other personnel, equipment, and facilities to remove, preserve, ~~and~~ store, ~~send notice regarding, and dispose of~~ an abandoned motor vehicle, watercraft, or outboard motor taken into custody by the agency under this subchapter.

SECTION \_\_\_\_\_. Section 683.031(c), Transportation Code, is amended to read as follows:

(c) The garagekeeper shall report the abandonment of the motor vehicle to a law enforcement agency with jurisdiction where the vehicle is located or to the Department of Public Safety and shall pay a \$10 ~~[\$5]~~ fee to be used by the law enforcement agency for the cost of the notice required by this subchapter or other cost incurred in disposing of the vehicle. A fee paid to the Department of Public Safety shall be used to administer this chapter.

SECTION \_\_\_\_\_. Sections 683.034(a), (b), and (e), Transportation Code, are amended to read as follows:

(a) A law enforcement agency shall take into custody an abandoned vehicle left in a storage facility that has not been claimed in the period provided by the notice under Section 683.012. In this section, a law enforcement agency has custody if the agency:

(1) has physical custody of the vehicle;

(2) has given notice to the storage facility that the law enforcement agency intends to dispose of the vehicle under this section; or

(3) has received a report under Section 683.031(c) and the garagekeeper has met all of the requirements of that subsection.

(b) The law enforcement agency may use the vehicle as authorized by Section 683.016 or sell the vehicle at auction as provided by Section 683.014. If a vehicle is sold, the proceeds of the sale shall first be applied to a garagekeeper's charges for providing notice regarding the vehicle and for service, towing, impoundment, storage, and repair of the vehicle.

(e) If the law enforcement agency does not take the vehicle into custody before the 31st day after the date the vehicle was reported abandoned under Section 683.031 ~~[notice is sent under Section 683.012]:~~

(1) the law enforcement agency may not take the vehicle into custody; and

(2) the storage facility may dispose of the vehicle under:

(A) Chapter 70, Property Code, except that notice under Section 683.012 satisfies the notice requirements of that chapter; or

(B) Chapter 2303, Occupations Code, if [±

~~[(+)]~~ the storage facility is a vehicle storage facility ~~[±and~~

~~[(ii) the vehicle is an abandoned nuisance vehicle].~~

SECTION \_\_\_\_\_. Section 685.004, Transportation Code, is amended to read as follows:

Sec. 685.004. JURISDICTION. ~~[(a)]~~ A hearing under this chapter shall be in the justice court having jurisdiction in the precinct in which the vehicle storage facility is located ~~[is before the justice of the peace or a magistrate in whose jurisdiction is the location from which the vehicle was removed, except as provided by Subsection (b)].~~

~~[(b) In a municipality with a population of 1.9 million or more, a hearing under this chapter is before a judge of a municipal court in whose jurisdiction is the location from which the vehicle was removed.]~~

SECTION \_\_\_\_\_. Section 685.006, Transportation Code, is amended to read as follows:

Sec. 685.006. CONTENTS OF NOTICE. ~~[(a)]~~ The notice under Section 685.005 must include:

(1) a statement of:

(A) the person's right to submit a request within 14 days for a court hearing to determine whether probable cause existed to remove the vehicle;

(B) the information that a request for a hearing must contain; and

(C) any filing fee for the hearing;

(2) the name, address, and telephone number of the towing company that removed the vehicle;

(3) the name, address, and telephone number of the vehicle storage facility in which the vehicle was placed; ~~and]~~

(4) the name, address, and telephone number of the person, property owner, or law enforcement agency that authorized the removal of the vehicle; and

(5) the name, address, and telephone number of the justice court having jurisdiction in the precinct in which the vehicle storage facility is located ~~[one or more of the appropriate magistrates as determined under Subsection (b)].~~

~~[(b) The notice must include the name, address, and telephone number of:~~

~~[(1) the municipal court of the municipality, if the towing company that removed the vehicle or the vehicle storage facility in which the vehicle was placed is located in a municipality; or~~

~~[(2) the justice of the peace of the precinct in which the towing company or the vehicle storage facility is located, if the towing company that removed the vehicle or the vehicle storage facility in which the vehicle was placed is not located in a municipality.]~~

SECTION \_\_\_\_\_. Section 685.008, Transportation Code, is amended to read as follows:

Sec. 685.008. FILING FEE AUTHORIZED. The court may charge a filing fee of \$20 ~~[\$10]~~ for a hearing under this chapter.

SECTION \_\_\_\_\_. Section 685.009, Transportation Code, is amended by amending Subsections (a) and (b) and adding Subsection (b-1) to read as follows:

(a) A hearing under this chapter shall be held before the 10th ~~[seventh]~~ working day after the date the court receives the request for the hearing.

(b) The court shall notify the person who requested the hearing and the person or law enforcement agency that authorized the removal of the vehicle of the date, time, and place of the hearing by registered or certified mail. The notice of the hearing to the person or law enforcement agency that authorized the removal of the vehicle shall include a copy of the request for hearing.

(b-1) At a hearing under this section:

(1) the burden of proof is on the person who requested the hearing; and  
(2) hearsay evidence is admissible if it is considered otherwise reliable by the justice of the peace.

SECTION \_\_\_\_ Chapter 685, Transportation Code, is amended by adding Section 685.010 to read as follows:

Sec. 685.010. APPEAL. An appeal from a hearing under this chapter is governed by the rules of procedure applicable to civil cases in justice court, except that no appeal bond may be required by the court.

SECTION \_\_\_\_ Section 2303.152(a), Occupations Code, is amended to read as follows:

(a) Notice to the registered owner and the primary lienholder of a vehicle towed to a vehicle storage facility may be provided by publication in a newspaper of general circulation in the county in which the vehicle is stored if:

(1) the vehicle is registered in another state;  
(2) the operator of the storage facility submits to the governmental entity with which the vehicle is registered a written request for information relating to the identity of the registered owner and any lienholder of record;  
(3) the identity of the registered owner cannot be determined;  
(4) the registration does not contain an address for the registered owner;  
or [and]

(5) the operator of the storage facility cannot reasonably determine the identity and address of each lienholder.

SECTION \_\_\_\_ Section 2303.154, Occupations Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) If a vehicle is not claimed by a person permitted to claim the vehicle before the 10th day after the date notice is mailed or published under Section 2303.151 or 2303.152, the operator of the vehicle storage facility shall consider the vehicle to be abandoned and send notice of abandonment to a law enforcement agency under Chapter 683, Transportation Code.

SECTION \_\_\_\_ Section 2303.155(f), Occupations Code, is amended to read as follows:

(f) The operator of a vehicle storage facility or governmental vehicle storage facility may not charge any [an] additional fee related to storage of the vehicle other than those fees set forth in this section or towing fees allowed under Chapter 643, Transportation Code ~~[that is similar to a notification, impoundment, or administrative fee]~~.

SECTION \_\_\_\_ Section 101.141(a), Government Code, is amended to read as follows:

(a) A clerk of a justice court shall collect fees and costs as follows:

(1) additional court cost in certain civil cases to establish and maintain an alternative dispute resolution system, if authorized by the commissioners court of a county with a population of at least 2.5 million (Sec. 152.005, Civil Practice and Remedies Code) . . . not to exceed \$3;

(2) additional filing fees:

(A) to fund Dallas County civil court facilities (Sec. 51.705, Government Code) . . . not more than \$15; and

(B) for filing any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent (Sec. 133.153, Local Government Code) . . . \$2;

(3) for filing a suit in Comal County (Sec. 152.0522, Human Resources Code) . . . \$1.50; and

(4) fee for hearing on probable cause for removal of a vehicle and placement in a storage facility if assessed by the court (Sec. 685.008, Transportation Code) . . . \$20 [~~\$10~~].

SECTION \_\_\_\_\_. Section 101.161, Government Code, is amended to read as follows:

Sec. 101.161. MUNICIPAL COURT FEES AND COSTS. The clerk of a municipal court may collect a fee for a hearing on probable cause for removal of a vehicle and placement in a storage facility if assessed by the court (Sec. 685.008, Transportation Code) . . . \$20 [~~\$10~~].

SECTION \_\_\_\_\_. Section 101.181, Government Code, is amended to read as follows:

Sec. 101.181. MUNICIPAL COURTS OF RECORD FEES AND COSTS. The clerk of a municipal court of record shall collect the following fees and costs:

(1) from an appellant, a transcript preparation fee (Sec. 30.00014, Government Code) . . . \$25; and

(2) from an appellant in the City of El Paso, an appellate court docket fee (Sec. 30.00147, Government Code) . . . \$25[~~and~~

~~[(3) fee for hearing on probable cause for removal of a vehicle and placement in a storage facility if assessed by the court (Sec. 685.008, Transportation Code) . . . \$10].~~

SECTION \_\_\_\_\_. The changes in law made by this Act to Chapters 683 and 685, Transportation Code, Chapter 2303, Occupations Code, and Chapter 101, Government Code, take effect September 1, 2005, and apply only to a removal or seizure of a vehicle that occurs on or after that date. The removal or seizure of a vehicle before September 1, 2005, is governed by the law in effect immediately before that date, and the former law is continued in effect for that purpose.

Amendment No. 2 was adopted.

### Amendment No. 3

Representative Thompson offered the following amendment to **CSHB 2799**:

Amend **CSHB 2799** on page 6, between lines 16 and 17, insert the following:

JA\_008762

(j) A political subdivision may not enter into an agreement under Subsection (c) exclusively with one towing company.

Amendment No. 3 was adopted.

**CSHB 2799**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**GENERAL STATE CALENDAR  
SENATE BILLS  
SECOND READING**

The following bills were laid before the house and read second time:

**SB 571 ON SECOND READING  
(Homer - House Sponsor)**

**SB 571**, A bill to be entitled An Act relating to the hours of sale and consumption of wine at a winery.

**Amendment No. 1**

Representative Laubenberg offered the following amendment to **SB 571**:

Amend **SB 571** by adding the following appropriately numbered section to the bill and renumbering the subsequent sections as appropriate:

SECTION \_\_\_\_\_. Section 16.011, Alcoholic Beverage Code, is amended to read as follows:

Sec. 16.011. PREMISES IN DRY AREA. (a) A winery permit may be issued for premises in an area in which the sale of wine has not been authorized by a local option election. A holder of a permit under this section may engage in any activity authorized under Section 16.01 except that the permit holder may sell or dispense wine under that section only if the wine is:

(1) manufactured in this state; and

(2) at least 50 ~~[75]~~ percent by volume fermented juice of grapes or other fruit grown in this state.

(b) The commissioner of agriculture may reduce the percentage by volume of fermented juice of grapes or other fruit grown in this state that wine must contain under this section if the commissioner determines, after notice and a hearing, that the availability and condition of those crops grown in this state justify the reduction.

Amendment No. 1 was withdrawn.

**SB 571** was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Bohac, B. Brown, Crabb, Harper-Brown, Howard, Jackson, B. Keffer, Miller, Talton, and Wong recorded voting no.)

### **HB 3179 - RECOMMITTED**

Representative P. King moved to recommit **HB 3179** to the Committee on Regulated Industries.

The motion prevailed.

### **COMMITTEES GRANTED PERMISSION TO MEET**

Representative P. King requested permission for the Committee on Regulated Industries to meet while the house is in session, during bill referral, in E2.018, for a formal meeting, to consider **HB 3179** and pending business.

Permission to meet was granted.

Representative Woolley requested permission for the Committee on Calendars to meet while the house is in session, during bill referral today, in 3W.9, for a formal meeting, to consider the calendar.

Permission to meet was granted.

Representative Solomons requested permission for the Committee on Financial Institutions to meet while the house is in session, during bill referral, in E2.012, for a formal meeting, to consider **SB 988**.

Permission to meet was granted.

### **FIVE DAY POSTING RULE SUSPENDED**

Representative Talton moved to suspend the five day posting rule to allow the Committee on Urban Affairs to consider **SB 879** and other previously posted bills during the regular committee hearing tomorrow.

The motion prevailed.

Representative Keel moved to suspend the five day posting rule and all necessary rules to allow the Committee on Criminal Jurisprudence, Subcommittee on Procedure, to consider **HB 1245**, **HB 2502**, and **HB 2504** at 2 p.m. or upon adjournment May 4 in E2.010.

The motion prevailed.

Representative Smithee moved to suspend the five day posting rule and all necessary rules to allow the Committee on Insurance to consider **HB 3039** upon adjournment today in E2.026.

The motion prevailed.

Representative Grusendorf moved to suspend the five day posting rule to allow the Committee on Public Education to consider **HB 451** on Tuesday, May 3.

The motion prevailed.

Representative Delisi moved to suspend the five day posting rule to allow the Committee on Public Health to consider **HB 122** at the previously posted hearing on Wednesday, May 4.

The motion prevailed.



## COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Corrections, upon final adjournment today, Desk 50, for a formal meeting, to consider pending legislation.

Licensing and Administrative Procedures, upon final adjournment today, Desk 99, for a formal meeting, to consider **HB 1649**.

Regulated Industries, during bill referral today, E2.018, for a formal meeting, to consider **HB 3179** and pending business.

Urban Affairs, 8 a.m. tomorrow, E1.026, for a public hearing, to consider **SB 879** and previously posted bills.

Calendars, during bill referral today, 3W.9, for a formal meeting, to consider the calendar.

Public Education, 2 p.m. or upon final adjournment tomorrow, E2.036, for a public hearing, to consider **HB 451** and posted bills.

Financial Institutions, during bill referral today, E2.012, for a formal meeting, to consider **SB 988**.

Land and Resource Management, upon adjournment today, Desk 74, for a formal meeting, to consider **HB 2833** and pending business.

Juvenile Justice and Family Issues, upon final adjournment today, Desk 115, for a formal meeting, to consider pending business.

## PROVIDING FOR ADJOURNMENT

Representative Harper-Brown moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

## BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Geren in the chair)

## ADJOURNMENT

In accordance with a previous motion, the house, at 5:24 p.m., adjourned until 10 a.m. tomorrow.

---

## ADDENDUM

---

### REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

#### List No. 1

**HB 3578** (By Hegar), Relating to the creation of the Fort Bend County Municipal Utility District No. 178; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Natural Resources.

**HB 3579** (By Hegar), Relating to the creation of the Fort Bend County Municipal Utility District No. 182; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Natural Resources.

**HB 3580** (By Hegar), Relating to the creation of the Fort Bend County Municipal Utility District No. 181; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Natural Resources.

**HB 3581** (By Taylor), Relating to the creation of the Dickinson Management District No. 1; providing authority to impose an assessment, impose a tax, and issue bonds.

To Urban Affairs.

**HB 3582** (By B. Brown), Relating to the Kingsborough Municipal Utility District Nos. 1, 2, 3, 4, and 5 of Kaufman County.

To Natural Resources.

**HB 3583** (By Van Arsdale), Relating to the creation of the Harris County Municipal Utility District No. 464; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Natural Resources.

**HB 3584** (By Van Arsdale), Relating to the creation of the Harris County Municipal Utility District No. 465; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Natural Resources.

**HB 3585** (By Laubenberg), Relating to the validation, annexation, powers, and duties of the Parker Creek Municipal Utility District of Rockwall County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Natural Resources.

**HB 3586** (By Krusee), Relating to the creation of the Williamson County Municipal Utility District No. 22; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Natural Resources.

**HCR 1** (By McClendon, Hamric, and Krusee), Memorializing Congress to eliminate the Medicaid Estate Recovery Program.

To Public Health.

**HCR 2** (By Craddick), In memory of U.S. Army Sergeant Brian Baker.

To Rules and Resolutions.

**HCR 5** (By Alonzo), Honoring the Texas Dental Association and Texas Dentists for Healthy Smiles for providing access to dental care to Texans in need through the Texas Mission of Mercy.

To Rules and Resolutions.

**HCR 6** (By Truitt), Designating January 17, 2006, as 112th Cavalry Day on the 60th anniversary of the group's deactivation.

To Rules and Resolutions.

**HCR 7** (By R. Cook, Chisum, McReynolds, Hardcastle, and Casteel), Memorializing Congress to preserve the community development block grant program and its funding at the U.S. Department of Housing and Urban Development.

To Urban Affairs.

**HCR 150** (By Baxter), Designating July 1, 2005, as Leukemia and Lymphoma Awareness Day in Texas and congratulating the Leukemia and Lymphoma Society on the establishment of its Central Texas chapter.

To Rules and Resolutions.

**HCR 156** (By Nixon, Hochberg, Naishtat, and Straus), Commemorating Holocaust Remembrance Day on May 9, 2005.

To Rules and Resolutions.

**HCR 157** (By Hilderbran), Directing the Texas Building and Procurement Commission to have a Texas Youth Commission facility in San Saba County named after John Shero.

To State Affairs.

**HCR 158** (By Hupp), Honoring Lampasas County on the occasion of its 150th anniversary.

To Rules and Resolutions.

**HCR 159** (By P. King), Welcoming the World Congress on Information Technology to Austin in May 2006.

To Rules and Resolutions.

**HR 1333** (By Keel), Honoring Vivian Leigh Lewis of Austin for 30 years of service as a social worker.

To Rules and Resolutions.

**HR 1338** (By Hughes), Commending Brother James Renfro, Sr., for his 50 years of service as a minister.

To Rules and Resolutions.

**HR 1339** (By Hughes), Honoring Karla Tate Doss on her retirement from the U.S. District Clerk's Office for the Eastern District of Texas, Marshall Division.

To Rules and Resolutions.

**HR 1340** (By Hughes), In memory of Dr. William Howard Wisner of Mineola.

To Rules and Resolutions.

**HR 1341** (By Hopson), Honoring Lauren Pierce on being named the 2005 Cherokee County Junior Livestock Show Queen.

To Rules and Resolutions.

**HR 1342** (By Hopson), Honoring Kyle Stacy of Jacksonville for his heroism.

To Rules and Resolutions.

**HR 1343** (By Hopson), Honoring Faith Smith of Jacksonville for her heroism.

To Rules and Resolutions.

**HR 1347** (By F. Brown, Dukes, et al.), Honoring the students from the Texas A&M Public Policy Internship Program on their service throughout the 79th Legislature.

To Rules and Resolutions.

**HR 1350** (By Alonzo), Honoring John Parker of Dallas on the occasion of his retirement from Sunset High School.

To Rules and Resolutions.

**HR 1351** (By Alonzo), Recognizing the Grand Prairie Cinco de Mayo Celebration.

To Rules and Resolutions.

**HR 1352** (By Alonzo), Commemorating Cinco de Mayo, 2005.

To Rules and Resolutions.

**HR 1354** (By Martinez), Honoring Enrique Gonzales on his retirement as assistant chief of the Weslaco Police Department.

To Rules and Resolutions.

**HR 1356** (By Gattis), Congratulating L. C. Richards of Rockdale on being named the 10,000th Professional Miner.

To Rules and Resolutions.

**HR 1358** (By Bonnen), Honoring Jeffrey Effenberger of Sweeny on his receipt of the 2004 Rural Heroism Award from the Texas Department of Agriculture.

To Rules and Resolutions.

**HR 1359** (By Eissler), In memory of Virgil Dugan of Tomball.  
To Rules and Resolutions.

**HR 1360** (By Hopson), Honoring Larry Morgan on his service to the Jacksonville community as president of the city's chamber of commerce and chief executive officer of economic development.  
To Rules and Resolutions.

**HR 1361** (By Hopson), In memory of Eleanor Helen Liebscher Nau of Austin.  
To Rules and Resolutions.

**HR 1362** (By Hopson), Commemorating the 50th anniversary of the David Crockett Chapter of the Daughters of the Republic of Texas on May 5, 2005.  
To Rules and Resolutions.

**HR 1363** (By Farabee), Honoring Lila Arnold of Jefferson Elementary on being named the Wichita Falls Independent School District Teacher of the Year for 2005.  
To Rules and Resolutions.

**HR 1364** (By T. King), In memory of Senior Patrol Agent Travis Wayne Attaway of the U.S. Border Patrol.  
To Rules and Resolutions.

**HR 1365** (By T. King), In memory of Senior Patrol Agent Jeremy Wilson of the U.S. Border Patrol.  
To Rules and Resolutions.

**HR 1367** (By Miller), Honoring the United States Army III Corps for its long history of valiant service to this nation.  
To Rules and Resolutions.

**HR 1369** (By Hunter, Solis, Griggs, McReynolds, and Laney), Honoring Bobby Morrow on the golden anniversary of his three gold medal victories in the Olympic Games in Melbourne, Australia.  
To Rules and Resolutions.

**HR 1370** (By Bailey), In memory of Joe Grady Moore, Jr., of Austin.  
To Rules and Resolutions.

**HR 1371** (By Giddings), Commending Alaa Yousef of DeSoto for earning a 2004-2005 Girl Scout Gold Award.  
To Rules and Resolutions.

**HR 1374** (By Escobar), In memory of Dr. Joseph Montgomery-Davis of Raymondville.  
To Rules and Resolutions.

**HR 1375** (By R. Cook), In memory of Ronald Lee Kellett of Rockport.  
To Rules and Resolutions.

**HR 1376** (By Grusendorf), Commending the Texas Education Agency and the Ministry of Education in Spain.  
To Rules and Resolutions.

**HR 1378** (By Frost), Congratulating Becky Pierce on being named the Texas Nursing Student of the Year.  
To Rules and Resolutions.

**HR 1380** (By Quintanilla), In memory of Mary Alice Province of Horizon City.  
To Rules and Resolutions.

**HR 1381** (By Quintanilla), In memory of Christopher Angel Reyes of Fabens.  
To Rules and Resolutions.

**HR 1382** (By Quintanilla), In memory of Ramon Gutierrez.  
To Rules and Resolutions.

**HR 1383** (By Quintanilla), In memory of Louie Manuel Lara of El Paso.  
To Rules and Resolutions.

**HR 1384** (By Quintanilla), In memory of Rosario Parada of San Elizario.  
To Rules and Resolutions.

**HR 1385** (By Quintanilla), In memory of Margarita C. Godoy of San Elizario.  
To Rules and Resolutions.

**HR 1386** (By Quintanilla), In memory of Jose Guadalupe Payan of El Paso.  
To Rules and Resolutions.

**HR 1387** (By Quintanilla), In memory of Frank "Topi" Rodriguez of Fabens.  
To Rules and Resolutions.

**HR 1388** (By Uresti), Recognizing the Texas recipients of the Medal of Honor and the Family and Friends of the Congressional Medal of Honor.  
To Rules and Resolutions.

**HR 1389** (By Wong), In memory of Tena Loverde Ferrara of Houston.  
To Rules and Resolutions.

**HR 1390** (By Wong), In memory of Carl Albert Munson, Jr., of Georgetown and Houston.  
To Rules and Resolutions.

**HR 1391** (By Raymond), Recognizing District Attorney Joe Rubio for his outstanding service to Laredo.  
To Rules and Resolutions.

**HR 1392** (By Flynn), Honoring the Sand Flat and Richland Schools in Rains County on the occasion of the May 7, 2005, reunion of former students, teachers, parents, and friends.  
To Rules and Resolutions.

**HR 1393** (By Flynn), Honoring John and Mary Peden of Van on the occasion of their 50th wedding anniversary.  
To Rules and Resolutions.

**HR 1394** (By Flynn), Congratulating the Texas A&M–Commerce Lions basketball team on its outstanding season.

To Rules and Resolutions.

**HR 1395** (By Giddings), Congratulating William T. Solomon on his receipt of the 76th Annual Linz Award.

To Rules and Resolutions.

**HR 1396** (By Bohac), In memory of Athalene M. Griffin.

To Rules and Resolutions.

**HR 1397** (By Solomons), Recognizing October 31–November 4, 2005, and November 6–10, 2006, as Municipal Courts Week in Texas.

To Rules and Resolutions.

**HR 1398** (By Craddick), Honoring Arvin and Betty Kilpatrick of Midland on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1399** (By Craddick), Congratulating Rachel and Gene Abbott of Midland on their 55th wedding anniversary.

To Rules and Resolutions.

**HR 1400** (By Wong), Honoring the birth of Natalie Caitlin Gee to Andy and Cindy Gee of Houston.

To Rules and Resolutions.

**HR 1402** (By Krusee), In memory of Jerry Leroy Mehevec of Taylor.

To Rules and Resolutions.

**HR 1403** (By Gonzales), In memory of Jeffry Forrest Fitch of McAllen.

To Rules and Resolutions.

**HR 1404** (By Castro), Honoring Master Sergeant Janet M. Schwanke of San Antonio on the occasion of her retirement from the United States Air Force.

To Rules and Resolutions.

**HR 1405** (By Naishtat), In memory of Jesse Chambers of Austin.

To Rules and Resolutions.

**HR 1406** (By Naishtat), Recognizing May 4, 2005, as Children's Mental Health Summit Day in Central Texas.

To Rules and Resolutions.

**HR 1407** (By Naishtat), Commending Pillow Elementary School on being named a national Blue Ribbon School.

To Rules and Resolutions.

**HR 1408** (By McClendon), Celebrating the 70th birthday of Josephine Elois Davis Hadley of San Antonio.

To Rules and Resolutions.

**HR 1409** (By Martinez), Honoring U.S. Army First Sergeant Leonel Garcia, Jr., of Mercedes for his service to his country.

To Rules and Resolutions.

**HR 1411** (By Driver), Honoring Officer Bobby Jenkins of the Rowlett Police Department for his heroism.

To Rules and Resolutions.

**HR 1412** (By Strama), Honoring public employees during Public Service Recognition Week, May 2-8, 2005.

To Rules and Resolutions.

**HR 1414** (By Quintanilla), In memory of Jose Maria Zambrano of El Paso.

To Rules and Resolutions.

**HR 1415** (By Y. Davis), Honoring Ola Mae Archie Williams of Dallas on her recognition as a Godly Woman—Living Legacy by the Women and Girls' Conference of the Missionary Baptist General Convention of Texas.

To Rules and Resolutions.

**HR 1416** (By Dutton), Honoring Arthur C. Lilly of Houston for his accomplishments as an educator and community leader.

To Rules and Resolutions.

**HR 1417** (By Dutton), Congratulating Houston Style Magazine on the occasion of its Thirty Under 30 party celebrating the magazine's 15th anniversary.

To Rules and Resolutions.

**HR 1420** (By Grusendorf), Recognizing J. Mathew "Matt" Ross of Garland for his service to Representative Kent Grusendorf during the 79th Legislative Session.

To Rules and Resolutions.

**HR 1421** (By Grusendorf), Recognizing Daniel "Danny" E. Gonzalez of Cypress for his service to Representative Kent Grusendorf during the 79th Legislative Session.

To Rules and Resolutions.

**HR 1422** (By Grusendorf), Recognizing Alexandra "Alex" Kier of Arlington for her service to Representative Kent Grusendorf during the 79th Legislative Session.

To Rules and Resolutions.

**HR 1423** (By Grusendorf), Recognizing Christine Olivia Nguyen of Houston for her service to Representative Kent Grusendorf during the 79th Legislative Session.

To Rules and Resolutions.

**HR 1424** (By Grusendorf), Recognizing Berkley Barnes Scroggins of Fredricksburg for his service to Representative Kent Grusendorf during the 79th Legislative Session.

To Rules and Resolutions.



**HR 1425** (By Grusendorf), Recognizing Margaret "Meg" Clifford of Austin for her service to Representative Kent Grusendorf during the 79th Legislative Session.

To Rules and Resolutions.

**HR 1426** (By Grusendorf), Recognizing Doug Williams for his service to Representative Kent Grusendorf during the 79th Legislative Session.

To Rules and Resolutions.

**HR 1427** (By Baxter), Honoring the fifth-grade teachers at Cedar Creek Elementary School in Austin.

To Rules and Resolutions.

**SB 15** to Civil Practices.

**SB 39** to Higher Education.

**SB 66** to Law Enforcement.

**SB 93** to Environmental Regulation.

**SB 99** to Business and Industry.

**SB 100** to Business and Industry.

**SB 132** to Higher Education.

**SB 151** to Higher Education.

**SB 247** to Public Health.

**SB 330** to Public Health.

**SB 343** to Natural Resources.

**SB 362** to Business and Industry.

**SB 411** to Government Reform.

**SB 419** to Public Health.

**SB 440** to Criminal Jurisprudence.

**SB 444** to Business and Industry.

**SB 448** to Higher Education.

**SB 449** to Insurance.

**SB 465** to Human Services.

**SB 474** to Public Education.

**SB 532** to Higher Education.

**SB 533** to Regulated Industries.

**SB 567** to Ways and Means.

**SB 601** to Public Health.

**SB 629** to Business and Industry.

**SB 684** to Border and International Affairs.

**SB 737** to Transportation.  
**SB 784** to Border and International Affairs.  
**SB 785** to Environmental Regulation.  
**SB 788** to Economic Development.  
**SB 809** to State Affairs.  
**SB 825** to Government Reform.  
**SB 867** to Ways and Means.  
**SB 896** to Elections.  
**SB 912** to Corrections.  
**SB 920** to Economic Development.  
**SB 927** to Higher Education.  
**SB 928** to Higher Education.  
**SB 929** to Higher Education.  
**SB 957** to Licensing and Administrative Procedures.  
**SB 962** to Public Education.  
**SB 967** to Natural Resources.  
**SB 982** to Government Reform.  
**SB 998** to Economic Development.  
**SB 1000** to Public Health.  
**SB 1005** to Criminal Jurisprudence.  
**SB 1011** to Elections.  
**SB 1013** to County Affairs.  
**SB 1022** to Urban Affairs.  
**SB 1026** to County Affairs.  
**SB 1027** to County Affairs.  
**SB 1045** to Natural Resources.  
**SB 1055** to Human Services.  
**SB 1063** to Natural Resources.  
**SB 1064** to Natural Resources.  
**SB 1081** to State Affairs.  
**SB 1096** to Economic Development.  
**SB 1113** to Public Health.  
**SB 1118** to Higher Education.  
**SB 1125** to Criminal Jurisprudence.

**SB 1130** to Energy Resources.

**SB 1133** to State Affairs.

**SB 1139** to Government Reform.

**SB 1143** to Financial Institutions.

**SB 1153** to Juvenile Justice and Family Issues.

**SB 1173** to Financial Institutions.

**SB 1185** to Higher Education.

**SB 1186** to Business and Industry.

**SB 1188** to Public Health.

**SB 1189** to Judiciary.

**SB 1192** to Culture, Recreation, and Tourism.

**SB 1193** to Higher Education.

**SB 1195** to Law Enforcement.

**SB 1205** to Local Government Ways and Means.

**SB 1226** to Higher Education.

**SB 1229** to Economic Development.

**SB 1230** to Economic Development.

**SB 1238** to Public Health.

**SB 1239** to Public Health.

**SB 1247** to Higher Education.

**SB 1250** to Appropriations.

**SB 1255** to Licensing and Administrative Procedures.

**SB 1271** to Culture, Recreation, and Tourism.

**SB 1273** to Land and Resource Management.

**SB 1281** to Environmental Regulation.

**SB 1282** to Insurance.

**SB 1307** to Juvenile Justice and Family Issues.

**SB 1318** to Local Government Ways and Means.

**SB 1323** to Insurance.

**SB 1328** to Public Health.

**SB 1331** to Licensing and Administrative Procedures.

**SB 1336** to Transportation.

**SB 1340** to Public Health.

**SB 1341** to Urban Affairs.

**SB 1354** to Environmental Regulation.  
**SB 1374** to Public Education.  
**SB 1393** to Public Education.  
**SB 1395** to Public Education.  
**SB 1408** to Economic Development.  
**SB 1425** to Judiciary.  
**SB 1428** to Agriculture and Livestock.  
**SB 1434** to Local Government Ways and Means.  
**SB 1436** to County Affairs.  
**SB 1446** to Public Education.  
**SB 1448** to Insurance.  
**SB 1454** to Licensing and Administrative Procedures.  
**SB 1455** to Land and Resource Management.  
**SB 1457** to Urban Affairs.  
**SB 1459** to Judiciary.  
**SB 1461** to Law Enforcement.  
**SB 1464** to Regulated Industries.  
**SB 1465** to Public Health.  
**SB 1471** to Licensing and Administrative Procedures.  
**SB 1472** to Licensing and Administrative Procedures.  
**SB 1473** to Law Enforcement.

**SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

**House List No. 34**

**HCR 3**

**Senate List No. 13**

**SB 129, SB 177, SB 407, SB 541, SB 574, SB 692, SB 693, SB 766, SB 796, SB 1342, SCR 20, SCR 26, SCR 28**

**MESSAGES FROM THE SENATE**

The following messages from the senate were today received by the house:

**Message No. 1**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Monday, May 2, 2005

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**HB 762** Nixon SPONSOR: Ellis  
Relating to the solicitation by state officers and employees of and recommendations regarding contributions to charitable organizations and governmental entities.  
(AMENDED)

**HCR 148** Krusee SPONSOR: Wentworth  
Designating the Texas Round-Up 10K as the Official 10K of Texas.

**SB 3** Armbrister  
Relating to the development and management of the water resources of the state, including the creation of a groundwater conservation district; imposing fees and providing penalties.

**SB 31** Zaffirini  
Relating to the creation of a work-study student mentorship program at certain institutions of higher education and to certain student financial aid program requirements.

**SB 121** Duncan  
Relating to a requestor's right of access to investment information of governmental bodies.

**SB 179** Wentworth  
Relating to retirement benefits for visiting judges.

**SB 190** Zaffirini  
Relating to the operation of the Texas School for the Deaf.

**SB 305** Armbrister  
Relating to the licensing and regulation of glass technicians; providing administrative penalties.

**SB 674** West, Royce  
Relating to limiting the use of customers' social security numbers by persons; providing a civil penalty.

**SB 728** Wentworth  
Relating to the liability of certain entities that enter agreements with a metropolitan rapid transit authority.

**SB 990** Janek  
Relating to a training and examination program on sexual abuse and child molestation for certain persons who work at youth camps.

**SB 1050** Van de Putte  
Relating to the promotional system for municipal civil service fire fighters.

**SB 1102** Jackson, Mike  
Relating to the establishment of a program by the Department of Agriculture to make grants to farmers and diverters who provide agricultural biomass to facilities that convert biomass to electrical energy.

**SB 1302** Seliger  
Relating to the Ector County Hospital District.

**SB 1311** Hinojosa  
Relating to the establishment of an off-highway vehicle trail and recreational area program; providing a penalty.

**SB 1410** Lucio  
Relating to the appointment of attorneys ad litem.

**SB 1748** Fraser  
Relating to the development and provision of broadband over electric delivery systems and the development of enhanced electric delivery systems.

**SB 1850** Gallegos  
Relating to the regulation of certain businesses that sell beer or beer and wine in certain counties; providing an administrative penalty.

THE SENATE HAS CONCURRED IN HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

**SB 407** (29 Yeas, 0 Nays)

**SB 574** (28 Yeas, 1 Nay)

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Monday, May 2, 2005 - 2

The Honorable Speaker of the House  
House Chamber  
Austin, Texas  
Mr. Speaker:

JA\_008778

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**HCR 136** Kuempel SPONSOR: Wentworth  
Designating May 2005 as Texas Natural Resources Month.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 3**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Monday, May 2, 2005 - 3

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**HB 965** Haggerty SPONSOR: Jackson  
Relating to a prohibition on the regulation of emissions from certain residential water heaters.  
(AMENDED)

Respectfully,  
Patsy Spaw  
Secretary of the Senate

---

## APPENDIX

---

### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

**April 29**

Agriculture and Livestock - **SB 248, SB 1137**

Border and International Affairs - **HB 3426**

Business and Industry - **SB 446**

Civil Practices - **SB 334**

County Affairs - **HB 2848**

Criminal Jurisprudence - **HB 489**

Defense Affairs and State-Federal Relations - **HB 1853, HB 3302**

Economic Development - **HB 558, HB 2122, HB 2716**

Elections - **HB 1268, HB 1270, HB 2151, HB 2339**

Energy Resources - **HB 1816**

Environmental Regulation - **HB 580, HB 1821, SB 1297**

Higher Education - **HB 487, HB 530, HB 609, HB 776, HB 1102**

Human Services - **HB 2188, HB 2572, HB 3327, SB 46**

Insurance - **HB 407, HB 1532, HB 1744, HB 1892, SB 155, SB 500**

Judiciary - **HB 1472, SB 241**

Juvenile Justice and Family Issues - **HB 209, HB 401, HB 1120, HB 1449, HB 2099, HB 3045**

Law Enforcement - **HB 582, HB 1583, HB 3140**

Natural Resources - **HB 2431, HB 2432, HB 2639, HB 2914, HB 2916, HB 3478, HB 3487, HB 3509, HB 3512, HB 3520, HB 3527, SB 839**

Pensions and Investments - **HB 1474, HB 2945, HB 3125, HB 3169, SB 310, SB 522**

Public Education - **HB 11, HB 661, HB 902, HB 1111, HB 1826, HB 3297**

Public Health - **SB 424, SB 1211**

Regulated Industries - **HB 3179**

State Affairs - **HB 1212, HB 1330, HB 2698, HB 2699**

Transportation - **HB 1885, HB 1988, HB 2496, HB 3465, SB 573, SB 619**

#### **ENGROSSED**

**April 29 - HB 161, HB 261, HB 312, HB 381, HB 505, HB 525, HB 616, HB 703, HB 788, HB 831, HB 841, HB 853, HB 857, HB 868, HB 877, HB 989, HB 1244, HB 1274, HB 1345, HB 1398, HB 1403, HB 1409, HB 1455, HB 1508, HB 1589, HB 1606, HB 1647, HB 1653, HB 1659, HB 1893, HB 2037, HB 2045, HB 2068, HB 2069, HB 2223, HB 2293, HB 2322, HB 2374, HB 2414, HB 2466, HB 2491, HB 2511, HB 2574, HB 2622, HB 2671, HB 2677, HB 2746, HB 2806, HB 2807, HB 2900, HB 2918, HB 3113, HB 3163, HB 3227, HB 3262, HB 3263, HB 3469, HB 3485**

#### **ENROLLED**

**April 29 - HB 67, HB 423, HB 1657, HB 1815**

JA\_008780



**SIGNED BY THE GOVERNOR**

**April 29 - HCR 10, HCR 141, HCR 142**



TEXAS HOUSE OF REPRESENTATIVES

MAY 3, 2005

PT. 1

1 THE SPEAKER: Have all voted? Being 125  
2 ayes, 11 nays, House Bill 1900 passed engrossment

3 The Chair lays out on third reading House  
4 Bill 1706. The clerk read the bill.

5 THE CLERK: HB 1706 by Denny, relating to  
6 require a voter to present proof of identification.

7 THE SPEAKER: The Chair recognizes  
8 Ms. Denny.

9 REPRESENTATIVE DENNY: Thank you,  
10 Mr. Speaker, Members. This is the bill we passed  
11 yesterday requiring proof of identification when  
12 offering to vote in person.

13 I move passage and we do have a couple of  
14 Amendments.

15 THE SPEAKER: The following Amendment. The  
16 clerk will read the Amendment.

17 REPRESENTATIVE VEASEY: Mr. Speaker.

18 THE SPEAKER: Mr. Veasey, for what purpose?

19 REPRESENTATIVE VEASEY: Does the gentlelady  
20 yield?

21 THE SPEAKER: The lady does not have the  
22 floor. Do not have an Amendment.

23 THE CLERK: Amendment by Leibowitz.

24 THE SPEAKER: The Chair recognizes  
25 Mr. Leibowitz.

1 REPRESENTATIVE LEIBOWITZ: Mr. Speaker,  
2 Members, my Amendment simply says that if someone is  
3 85 years or over as of the day that they go to vote,  
4 that they should be exempted from having to deal with  
5 the two proofs of identification issue.

6 And let me tell you briefly why I'm  
7 proposing this Amendment: My mother's 85 years old.  
8 She raised 12 children. She's never driven in her life.  
9 She made a lot of sacrifices for us, and I oftentimes  
10 say that she's already earned her halo for all the  
11 sacrifices she's made for us.

12 When my dad passed away in the mid '80s  
13 everyone wanted her and she went to live with one of my  
14 brother's in Houston. She doesn't have a utility bill.  
15 She doesn't have a phone bill. She has no credit cards.  
16 She has no driver's license. And she has no picture ID.

17 So she's been voting all of her life and  
18 this bill says that she's going to not be able to do  
19 that.

20 Secondly, my father was a veteran of World  
21 War II. He's buried at the Port Sam Houston National  
22 Cemetery. And I can assure you that when he went to  
23 volunteer to fight in World War II, that they didn't  
24 tell him, "No, son, you need to present two proofs of  
25 identification before we're going to let you join to

1 fight against the Nazi Germany and against Japan."

2 What I'm saying is we have 85-year old  
3 folks that are elderly, they're febrile. Some of them  
4 have to catch a ride from a neighbor in order to get to  
5 the polls and, you know, the veterans who shed they're  
6 blood and died for us on Omaha Beach. And the ones who  
7 died at Normandie -- they didn't have to present two  
8 proofs of IDs before they were allowed to make that  
9 sacrifice.

10 Lastly, if you look at some of the rural  
11 counties in the state of Texas, I asked my Chief of  
12 Staff to look at this and to tell me if there's some  
13 cities that are far away in terms of mileage from the  
14 county seat.

15 And they came up with one, and  
16 coincidentally it was Brewster County La Morita, a town  
17 in Brewster County is 95 miles from Alpine, which is the  
18 county seat.

19 So if there's a elderly person who hitched  
20 a ride to the polls to vote in an election, then they're  
21 going to have to go back home. They're going to have to  
22 get some proofs of ID and travel 95 miles to Alpine in  
23 order to get their provisional ballot to count.

24 And my point respectfully is: When these  
25 guys went, these gentlemen fought in World War II, we

1 didn't ask them for proofs of ID before they joined and  
2 now we're going to question their honesty? We're going  
3 to question their integrity? We're going to question  
4 their character? And if they don't have two proofs of  
5 ID, they're going to be turned away?

6 And I respectfully request that you all  
7 give due consideration to allow anyone who's 85 years of  
8 age and over to not have to abide by this new obligation  
9 of coming up with two proofs of identification.

10 THE SPEAKER: The Chair recognizes  
11 Ms. Denny.

12 REPRESENTATIVE DENNY: Thank you,  
13 Mr. Speaker. I respectfully move to table this  
14 Amendment. We're not discriminating in age in any way  
15 anybody by separating any age group out here.

16 We're going to require an ID of every  
17 voter, whether it be the photo ID or two forms of  
18 non-photo ID. I don't think it's asking too much of any  
19 voter to show us that they're who they say they are.

20 The requirements are in place for people  
21 that are over 65 to be able to vote-by-mail and that  
22 does not change.

23 So I move to table this Amendment.

24 THE SPEAKER: The Chair recognizes  
25 Mr. Leibowitz to close.

1 REPRESENTATIVE LEIBOWITZ: Thank you,  
2 Mr. Speaker.

3 Members, I sincerely believe that we do not  
4 have the right to change the rules in the middle of the  
5 game with respect to veterans in World War II who may  
6 not have all of these different IDs that are required in  
7 order to come and vote. And we're only going to allow  
8 them a provisional ballot.

9 If they had not done what they did and made  
10 the sacrifices that they did in World War II, we would  
11 not have the vote as we know it today to debate in the  
12 first place.

13 And respectfully I ask you to consider to  
14 vote against the motion to table.

15 THE SPEAKER: Members, Mr. Leibowitz sends  
16 up an Amendment. Ms. Denny moves to table.

17 All those in favor vote aye. Those opposed  
18 to vote no. It's a Motion to table, members.

19 The clerk will ring the bell.

20 Have all voted? Have all voted?

21 Being 72 ayes, 67 nays, the motion to table  
22 prevails.

23 The following Amendment.

24 The clerk will read the Amendment.

25 THE CLERK: Amendment by Edwards.



1 THE SPEAKER: The Chair recognizes  
2 Mr. Edwards.

3 REPRESENTATIVE EDWARDS: Thank you,  
4 Mr. Speaker, Members. You know a lot of folk who vote  
5 and they vote late, and in this bill we don't have  
6 provisions for those without the identification that  
7 they need.

8 And if it is at the last minute, the  
9 question really would be: What do they do? And right  
10 now, it would be nothing.

11 So my Amendment says that the county would  
12 be open on Saturday for persons who work or come in late  
13 and continue -- well, they wouldn't have the time to do  
14 it.

15 And this Amendment is accepted by the  
16 author.

17 THE SPEAKER: Mr. Edwards sends up an  
18 Amendment. The Amendment is acceptable to the author.

19 Is there an objection?

20 The Chair hears none.

21 The Chair recognizes Ms. Olivo for an  
22 introduction.

23 REPRESENTATIVE OLIVO: Mr. Speaker,  
24 Members, I'm very proud today to introduce the 6th  
25 graders from the Fort Bend County Yes Prep School in

1 Richmond, Texas, and if the students and the parents  
2 from Fort Bend County would please stand and be  
3 recognized.

4 Please stand and help me welcome them to  
5 the House.

6 Thank you, Mr. Speaker.

7 THE SPEAKER: The Chair recognizes  
8 Ms. McClendon for an introduction.

9 REPRESENTATIVE MCCLENDON: Thank you,  
10 Mr. Speaker.

11 In the south gallery we have some  
12 wonderful, wonderful students from San Antonio, from  
13 Cameron Elementary School from District 120 in San  
14 Antonio, which is my district and my neighborhood. And  
15 they're here with their teacher, Kim Baird and Paul  
16 Williams, Michelle Hearn and Vera Lewis. They're here  
17 for a field trip.

18 Would you please help me welcome them to  
19 their State Capitol. Thank you.

20 THE SPEAKER: The following Amendment.

21 The clerk will read the Amendment.

22 THE CLERK: Amendment by Hochberg.

23 THE SPEAKER: The Chair recognizes  
24 Mr. Hochberg.

25 REPRESENTATIVE HOCHBERG: Thank you,

1 Mr. Speaker and members.

2 This Amendment does two things: First of  
3 all in Ms. Denny's bill yesterday, we discovered that  
4 the voting board was not obligated under the bill to  
5 vote those votes where people had taken their  
6 identification down during the five-day period after the  
7 election.

8 This Amendment requires the voting board to  
9 do that if there are no other reasons that the challenge  
10 is before them or the provisional ballot is before them.

11 Secondly, it allows that information to be  
12 delivered by mail, in addition to being delivered  
13 in-person.

14 I believe it's acceptable to the offer  
15 author and I move adoption.

16 THE SPEAKER: Mr. Hochberg sends up an  
17 Amendment. The Amendment is acceptable to the author.

18 Is there an objection?

19 The Chair hears none.

20 The Amendment is adopted.

21 The Chair recognizes Ms. Denny to close.

22 REPRESENTATIVE DENNY: Thank you,  
23 Mr. Speaker. I move passage.

24 REPRESENTATIVE VEASEY: Mr. Speaker.

25 THE SPEAKER: Mr. Veasey, for what purpose?

10

1 REPRESENTATIVE VEASEY: Will the gentlelady  
2 yield?

3 THE SPEAKER: Ms. Denny, do you yield?

4 REPRESENTATIVE DENNY: I do.

5 THE SPEAKER: The lady yields.

6 REPRESENTATIVE VEASEY: Ms. Denny, I know  
7 that you're a good person, and when you filed this bill  
8 that you didn't think that it would have the  
9 consequences that I believe that it's going to have, and  
10 I have a couple of questions for you.

11 If you had filed this bill knowing that  
12 minorities and African Americans were less likely to  
13 have certain forms of identification, would you have  
14 been as likely to file this bill?

15 REPRESENTATIVE DENNY: Mr. Veasey, I don't  
16 believe that anybody, regardless of race or ethnicity,  
17 is going to be less likely to have one of any form of  
18 identification.

19 And because this bill, specifically, has a  
20 provision in it for DPS to provide a state-issued ID  
21 free of charge to someone that will fill out an  
22 Affidavit. For someone not able to afford that -- I  
23 think that provision is taken care of.

24 REPRESENTATIVE VEASEY: If you thought that  
25 this bill would have an adverse impact on African

11

1 Americans voting overall, would you still have been in  
2 favor of the bill?

3 REPRESENTATIVE DENNY: I don't believe that  
4 to be the case, sir.

5 REPRESENTATIVE VEASEY: I have a document  
6 here from the Justice Department.

7 Not too long ago the State of Louisiana  
8 tried to pass, basically, the same law that we're  
9 passing here. And the document that I have shows that  
10 their finding said back then that black persons are 4 to  
11 5 less times likely than white persons to possess  
12 driver's licenses or other forms of identifications,  
13 such as picture identifications. That was in their bill  
14 and the bill is almost exactly the same as ours.

15 And then, also, the Justice Department  
16 found that this imposition requirement would have a  
17 disproportionate impact on African American voters.

18 REPRESENTATIVE DENNY: Yes, this bill,  
19 bills very similar to this have been passed in several  
20 states that are voting rights states. The latest that  
21 was just passed into law was Georgia last week. Several  
22 have already passed Justice Department muster and I have  
23 that up here. And I do yield to my friend --

24 REPRESENTATIVE BURNAM: Mr. Speaker.

25 THE SPEAKER: Mr. Burnam, for what purpose?

12

1 REPRESENTATIVE BURNAM: I raise a point of  
2 order against further consideration of HB 1706 under  
3 Rule 6 Section I A11, Rule 6 Section 7(b), and Rule 6  
4 Section 15 and Rule 6 Section 17 of the rules of the  
5 House on the grounds that consideration of HB 1706  
6 violates the daily order of business and the proper  
7 order of consideration.

8 THE SPEAKER: Bring it down front.  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

STATE OF TEXAS:

COUNTY OF HARRIS:

I, Kateri A. Flot-Davis, Certified  
Shorthand Reporter in and for the State of Texas, hereby  
certify that the foregoing transcript is done to the  
best of my ability and reflects proceedings heard on  
video recording.

I further certify that I am neither  
counsel for, related to, nor employed by any of the  
parties or attorneys in the action in which this  
proceeding was taken, and further that I am not  
financially or otherwise interested in the outcome of  
the action.

Certified to by me this \_\_\_\_ of  
\_\_\_\_\_, \_\_\_\_.

Kateri A. Flot-Davis

Texas CSR No. 8462

Expiration Date: 12-31-13

<b>A</b>	7:15, 18, 18	bell	11:4	considera...
abide	8:20, 21, 22	6:19	catch	5:7 12:2, 5, 7
5:8	9:2, 8, 17, 17	Bend	4:4	continue
ability	9:20	7:25 8:2	Cemetery	7:13
13:10	Amendments	best	3:22	counsel
able	2:14	13:10	certain	13:13
3:18 5:21	American	bill	10:13	count
10:22	11:17	2:2, 4, 4, 10	Certified	4:23
acceptable	Americans	3:14, 15, 18	13:7, 18	counties
7:18 9:14, 17	10:12 11:1	7:5 9:3, 4	certify	4:11
accepted	Antonio	10:7, 11, 14	13:9, 12	county
7:15	8:12, 14	10:19, 25	Chair	4:14, 16, 17
action	anybody	11:2, 13, 14	2:3, 7, 24	4:18 7:11
13:14, 17	5:15 10:16	11:18	5:10, 24 7:1	7:25 8:2
addition	asked	bills	7:20, 21 8:7	13:5
9:12	4:11	11:19	8:23 9:19	couple
adopted	asking	black	9:21	2:13 10:10
9:20	5:18	11:10	challenge	credit
adoption	assure	blood	9:9	3:15
9:15	3:22	4:6	change	CSR
adverse	attorneys	board	5:22 6:4	13:23
10:25	13:14	9:4, 8	character	
Affidavit	author	Brewster	5:4	<b>D</b>
10:22	7:16, 18 9:15	4:16, 17	charge	dad
afford	9:17	briefly	10:21	3:12
10:22	aye	3:6	Chief	daily
African	6:17	Bring	4:11	12:6
10:12, 25	ayes	12:8	children	Date
11:17	2:2 6:21	brother's	3:8	13:24
age	All	3:14	cities	day
5:8, 14, 15	12:3	buried	4:13	3:3
ago	<b>B</b>	3:21	clerk	deal
11:7	back	Burnam	2:4, 5, 16, 23	3:4
allow	4:21 11:10	11:24, 25	6:19, 24, 25	debate
5:7 6:7	Baird	12:1	8:21, 22	6:11
allowed	8:15	business	close	delivered
4:8	ballot	12:6	5:25 9:21	9:12, 12
allows	4:23 6:8	<b>C</b>	coinciden...	Denny
9:11	9:10	Cameron	4:16	2:5, 8, 9 5:11
Alpine	basically	8:13	come	5:12 6:16
4:17, 22	11:8	Capitol	6:7 7:12	9:21, 22
Amendment	Beach	8:19	coming	10:3, 4, 6, 15
2:15, 16, 22	4:6	cards	5:9	11:3, 18
2:23 3:2, 7	believe	3:15	consequences	Denny's
5:14, 23	6:3 9:14	care	10:9	9:3
6:16, 23, 24	10:9, 16	10:23	consider	Department
6:25 7:11	11:3	case	6:13	11:6, 15, 22
				died



4:6,7		fought	halo	imposition
different	<b>F</b>	4:25	3:10	11:16
6:6	far	found	HARRIS	information
discovered	4:13	11:16	13:5	9:11
9:3	father	free	HB	integrity
discrimin...	3:20	10:21	2:5 12:2,5	5:3
5:14	favor	friend	heard	interested
dispropor...	6:17 11:2	11:23	13:10	13:16
11:17	febrile	front	Hearn	introduce
district	4:3	12:8	8:16	7:24
8:13,14	field	further	hears	introduction
document	8:17	12:2 13:12	7:20 9:19	7:22 8:8
11:5,9	fight	13:15	help	in-person
DPS	3:23 4:1		8:4,18	9:13
10:20	file	<b>G</b>	hitched	issue
driven	10:14	gallery	4:19	3:5
3:8	filed	8:11	Hochberg	
driver's	10:7,11	game	8:22,24,25	<b>J</b>
3:16 11:12	fill	6:5	9:16	Japan
due	10:21	gentlelady	home	4:1
5:7	financially	2:19 10:1	4:21	join
	13:16	gentlemen	honesty	3:25
<b>E</b>	finding	4:25	5:2	joined
earned	11:10	Georgia	House	5:1
3:10	first	11:21	1:4 2:2,3	Justice
Edwards	6:12 9:2	Germany	8:5 12:5	11:6,15,22
6:25 7:2,3	five-day	4:1	Houston	<b>K</b>
7:17	9:6	give	3:14,21	Kateri
elderly	floor	5:7		13:7,23
4:3,19	2:22	go	<b>I</b>	Kim
election	Flot-Davis	3:3 4:21	ID	8:15
4:20 9:7	13:7,23	going	3:16 4:22	know
Elementary	folk	3:18,25 4:21	5:1,5,16,17	4:5 6:11 7:4
8:13	7:4	4:21 5:2,2	5:18 10:20	10:6
employed	folks	5:3,5,16	identific...	knowing
13:13	4:3	6:7 10:9,17	2:6,11 3:5	10:11
engrossment	following	good	3:25 5:9	
2:2	2:15 6:23	10:7	7:6 9:6	<b>L</b>
ethnicity	8:20	graders	10:13,18	La
10:16	foregoing	7:25	identific...	4:16
exactly	13:9	grounds	11:12,13	lady
11:14	form	12:5	IDs	2:21 10:5
exempted	10:17	group	4:8 6:6	Lastly
3:4	forms	5:15	II	4:10
Expiration	5:17 10:13	guys	3:21,23 4:25	late
13:24	11:12	4:25	6:5,10	7:5,12
	Fort		impact	
	7:25 8:2	<b>H</b>	10:25 11:17	

latest 11:20	minorities 10:12	obligation 5:8	9:6	provide 10:20
law 11:8,21	minute 7:8	offer 9:14	person 2:12 4:19	provision 10:20,23
lays 2:3	Morita 4:16	offering 2:12	persons 7:12 11:10	provisional 4:23 6:8
Leibowitz 2:23,25 3:1 5:25 6:1,15	mother's 3:7	oftentimes 3:9	11:11	9:10
Lewis 8:16	motion 6:14,18,21	old 3:7 4:2	phone 3:15	provisions 7:6
license 3:16	move 2:13 5:13,23 9:15,23	Olivo 7:21,23	photo 5:17	PT 1:8
licenses 11:12	moves 6:16	Omaha 4:6	picture 3:16 11:13	purpose 2:18 9:25
life 3:8,17	muster 11:22	ones 4:6	place 5:20 6:12	11:25
live 3:13	<hr/> N <hr/>	open 7:12	please 8:2,4,18	<hr/> Q <hr/>
long 11:7	National 3:21	opposed 6:17	point 4:24 12:1	question 5:2,3,3 7:9
look 4:10,12	nays 2:2 6:21	order 4:4,23 6:7 12:2,6,7	polls 4:5,20	questions 10:10
lot 3:9 7:4	Nazi 4:1	outcome 13:16	Port 3:21	<hr/> R <hr/>
Louisiana 11:7	need 3:24 7:7	overall 11:1	possess 11:11	race 10:16
<hr/> M <hr/>	neighbor 4:4	<hr/> P <hr/>	Prep 7:25	raise 12:1
mail 9:12	neighborhood 8:14	parents 8:1	7:25	raised 3:8
McClendon 8:8,9	neither 13:12	parties 13:14	present 2:6 3:24 4:7	read 2:4,16 6:24
members 2:10 3:2 6:3 6:15,18 7:4 7:24 9:1	never 3:8	pass 11:8	prevails 6:22	8:21
Michelle 8:16	new 5:8	passage 2:13 9:23	proceeding 13:15	reading 2:3
mid 3:12	non-photo 5:18	passed 2:2,10 3:12 11:19,21,22	proceedings 13:10	really 7:9
middle 6:4	Normandie 4:7	passing 11:9	proof 2:6,11	reasons 9:9
mileage 4:13	<hr/> O <hr/>	Paul 8:15	proofs 3:5,24 4:8 4:22 5:1,4 5:9	recognized 8:3
miles 4:17,22	objection 7:19 9:18	people 5:20 9:5	proper 12:6	recognizes 2:7,24 5:10 5:24 7:1,21 8:7,23 9:21
	obligated 9:4	period	proposing 3:7	recording 13:11
			proud 7:24	reflects 13:10
				regardless

10:16 related 13:13 relating 2:5 Reporter 13:8 REPRESENT... 2:9,17,19 3:1 5:12 6:1 7:3,23 8:9,25 9:22 9:24 10:1,4 10:6,15,24 11:3,5,18 11:24 12:1 REPRESENT... 1:4 request 5:6 require 2:6 5:16 required 6:6 requirement 11:16 requirements 5:20 requires 9:8 requiring 2:11 respect 6:5 respectfully 4:24 5:6,13 6:13 Richmond 8:1 ride 4:4,20 right 6:4 7:9 rights 11:20 ring 6:19 Rule	12:3,3,3,4 rules 6:4 12:4 rural 4:10 <hr/> S sacrifice 4:9 sacrifices 3:9,11 6:10 Sam 3:21 San 8:12,13 Saturday 7:12 saying 4:2 says 3:2,18 7:11 School 7:25 8:13 seat 4:14,18 Secondly 3:20 9:11 Section 12:3,3,4,4 sends 6:15 7:17 9:16 separating 5:15 shed 4:5 Shorthand 13:8 show 5:19 shows 11:9 similar 11:19 simply 3:2 sincerely	6:3 sir 11:4 son 3:24 south 8:11 Speaker 2:1,7,10,15 2:17,18,21 2:24 3:1 5:10,13,24 6:2,15 7:1 7:4,17,23 8:6,7,10,20 8:23 9:1,16 9:23,24,25 10:3,5 11:24,25 12:8 specifically 10:19 Staff 4:12 stand 8:2,4 state 4:11 8:19 11:7 13:3,8 states 11:20,20 state-issued 10:20 students 8:1,12 <hr/> T table 5:13,23 6:14 6:16,18,21 taken 9:5 10:23 13:15 teacher 8:15 tell 3:6,24 4:12 terms	4:13 Texas 1:4 4:11 8:1 13:3,8,23 Thank 2:9 5:12 6:1 7:3 8:6,9 8:19,25 9:22 things 9:2 think 5:18 10:8,23 third 2:3 thought 10:24 time 7:13 times 11:11 today 6:11 7:24 town 4:16 transcript 13:9 travel 4:22 tried 11:8 trip 8:17 turned 5:5 two 3:5,24 4:7 5:4,9,17 9:2 <hr/> U utility 3:14 <hr/> V Veasey 2:17,18,19 9:24,25	10:1,6,15 10:24 11:5 Vera 8:16 veteran 3:20 veterans 4:5 6:5 video 13:11 violates 12:6 volunteer 3:23 vote 2:12 3:3 4:20 6:7,11 6:14,17,18 7:4,5 9:5 voted 2:1 6:20,20 voter 2:6 5:17,19 voters 11:17 votes 9:5 vote-by-mail 5:21 voting 3:17 9:4,8 11:1,20 <hr/> W wanted 3:13 War 3:21,23 4:25 6:5,10 way 5:14 week 11:21 welcome 8:4,18 went 3:13,22 4:25 we're
--	--	---	---	--

3:25 5:2,2	2:2			
5:3,14,16				
6:7 11:8	<u>2</u>			
<b>white</b>	<b>2005</b>			
11:11	1:6			
<b>Williams</b>				
8:16	<u>3</u>			
<b>wonderful</b>	<b>3</b>			
8:12,12	1:6			
<b>work</b>				
7:12	<u>4</u>			
<b>World</b>	<b>4</b>			
3:20,23 4:25	11:10			
6:5,10				
<b>wouldn't</b>	<u>5</u>			
7:13	<b>5</b>			
	11:11			
<u>Y</u>				
<b>years</b>	<u>6</u>			
3:3,7 5:7	<b>6</b>			
<b>yesterday</b>	12:3,3,3,4			
2:11 9:3	<b>6th</b>			
<b>yield</b>	7:24			
2:20 10:2,3	<b>65</b>			
11:23	5:21			
<b>yields</b>	<b>67</b>			
10:5	6:21			
<u>1</u>	<u>7</u>			
<b>1</b>	<b>7 (b)</b>			
1:8	12:3			
<b>11</b>	<b>72</b>			
2:2	6:21			
<b>12</b>				
3:8	<u>8</u>			
<b>12-31-13</b>	<b>80s</b>			
13:24	3:12			
<b>120</b>	<b>8462</b>			
8:13	13:23			
<b>125</b>	<b>85</b>			
2:1	3:3,7 5:7			
<b>15</b>	<b>85-year</b>			
12:4	4:2			
<b>17</b>				
12:4	<u>9</u>			
<b>1706</b>	<b>95</b>			
2:4,5 12:2,5	4:17,22			
<b>1900</b>				

TEXAS HOUSE OF REPRESENTATIVES

MAY 3, 2005

PT. II

1 THE SPEAKER: Members, Representative  
2 Burnam raises a point of order against further  
3 consideration of House Bill 1706 on the grounds that it  
4 violates Rule 1A11, Rule 6, Section 7 B, Rule 6 Section  
5 15, Rule 6, Section 16A and Subsection E, Rule 6,  
6 Section 17 of the House Rules.

7 These rules require that bills printed on  
8 the daily calendar be taken in the proper order of  
9 consideration.

10 The chair has reviewed the calendars in  
11 the rules and sustains the point of order.

12 I turn to the circumstances surrounding  
13 the point of order and the eligibility of the whole  
14 calendar itself is at issue, and therefore, further  
15 consideration of the bills on the Supplemental Calendar  
16 is not in order at this time.

17 Under Rule 6, Section 16A, a Supplemental  
18 Calendar must be printed and distributed, at least, two  
19 hours before the House convenes.

20 Because it is clear that Mr. Burnam's  
21 point of order impacts the entire calendar and that  
22 numerous bills in the calendar were not in their proper  
23 order, a corrected Supplemental Calendar has been  
24 printed and distributed in your mailboxes.

25 The calendar's time is time stamped at

1 12:57 today which makes it eligible for consideration at  
2 2:57 today.

3 As a point of clarification,  
4 Representative Thompson asked before lunch about how  
5 long a calendar is supposed to lay out before the House  
6 considers.

7 The chair answered Ms. Thompson's question  
8 based on Rule 6, Section 16 Sub A, which requires a  
9 calendar to lay out for 36 hours before it is eligible  
10 for consideration. But the chair also notes that under  
11 Rule 6 Section 16A, a House may print and distribute a  
12 Supplemental Calendar which requires a two-hour lay out.

13 Accordingly, the point of order is well  
14 taken and sustained and Representative Wooley moves that  
15 the House stand in recess until 3:00 o'clock p.m. and  
16 will properly convene at the time that the Supplemental  
17 Calendar is eligible.

18 REPRESENTATIVE GALLEGOS: Mr. Speaker,  
19 Parliamentary inquiry.

20 THE SPEAKER: State your inquiry.

21 REPRESENTATIVE GALLEGOS: Mr. Speaker, you  
22 are referring to Rule 16, Section A, which indicates  
23 that the deviating from the calendar as printed and  
24 distributed shall not be permitted except at the  
25 calendar's permission shall be authorized to print and

1 distribute not later than two hours? Is that the  
2 section that we're relying on?

3 THE SPEAKER: That's correct.

4 REPRESENTATIVE GALLEGGO: And, Mr. Speaker,  
5 in that case, another Parliamentary, what time did the  
6 House convene this morning?

7 THE SPEAKER: 10:00 a.m.

8 REPRESENTATIVE GALLEGGO: Mr. Speaker, I  
9 believe the rule says that the Committee -- that phrase  
10 is not later than two hours before the House convenes.  
11 And, therefore, if we go to 3:00 p.m., that does not  
12 cure the issue. The rule says that the calendar must be  
13 printed, the Supplemental Calendar must be printed two  
14 hours before the House convenes.

15 THE SPEAKER: We're going to convene at  
16 3:00 and that's when the calendar will be eligible and  
17 that's what we've done in the past.

18 REPRESENTATIVE GALLEGGO: So we're  
19 adjourning now and reconvening on a new legislative day?

20 THE SPEAKER: We're going to recess,  
21 Mr. Gallego.

22 REPRESENTATIVE GALLEGGO: Well, is there not  
23 a difference, Mr. Speaker, between a recess and a --

24 THE SPEAKER: The rule does not define what  
25 the word "convene" means.



1 REPRESENTATIVE GALLEGGO: The rule indicates  
2 -- so any time we recess or adjourn, that could be  
3 convening, Mr. Speaker?

4 THE SPEAKER: For the purposes of this  
5 rule, a "convene" means for when we come back in and  
6 that's going to be when we come back at 3:00.

7 REPRESENTATIVE GALLEGGO: Mr. Speaker, can  
8 you -- further Parliamentary Inquiry, Mr. Speaker.

9 THE SPEAKER: State your inquiry,  
10 Mr. Gallego.

11 REPRESENTATIVE GALLEGGO: With respect to  
12 the bills that are on third reading today, the rule  
13 require that they maintain that through the process; is  
14 that correct? They maintain their order through the  
15 process?

16 THE SPEAKER: That's correct, Mr. Gallego.

17 REPRESENTATIVE GALLEGGO: It's my  
18 understanding that the particular bill that Mr. Dunnam  
19 raised his point of order on has already been  
20 considered, Amendments have already been debated with  
21 respect to that particular bill and votes have already  
22 been taken.

23 Is it the chair's ruling then that all of  
24 that is a null and void and is of no effect or is there  
25 no reconsideration --

1 THE SPEAKER: No. Mr. Gallego, we're going  
2 to pick up where we left off. Those things have already  
3 been done and the point of order was not raised until  
4 after the Amendments were either adopted or defeated.

5 REPRESENTATIVE GALLEGO: So, in essence,  
6 the only thing that happened as a result of that point  
7 of order, Mr. Speaker, is a delay of two hours is your  
8 ruling?

9 THE SPEAKER: That's correct.

10 REPRESENTATIVE GALLEGO: And the chair is  
11 reducing his ruling to writing and placing that in the  
12 journal?

13 THE SPEAKER: We'll be more than glad to do  
14 that, Mr. Gallego.

15 MR. GALLEGO: Thank you, Mr. Speaker.

16 REPRESENTATIVE THOMPSON: Parliamentary  
17 inquiry.

18 THE SPEAKER: State your inquiry  
19 Ms. Thompson.

20 REPRESENTATIVE THOMPSON: Mr. Speaker, the  
21 calendar that has been distributed on our desk -- is  
22 that considered the Supplemental Calendar that we are  
23 addressing at this time?

24 THE SPEAKER: That is correct,  
25 Ms. Thompson.

1 REPRESENTATIVE THOMPSON: And when did the  
2 Calendars Committee get authority to print and  
3 redistribute?

4 THE SPEAKER: The rules allow the Calendar  
5 Committee to print and distribute a supplemental --

6 REPRESENTATIVE THOMPSON: What rule is  
7 that, Mr. Speaker? I just want to be acquainted with it  
8 myself.

9 THE SPEAKER: Hold on, Ms. Thompson.

10 REPRESENTATIVE THOMPSON: Thank you. Did  
11 they post?

12 THE SPEAKER: They don't have to post.  
13 It's Rule 16.

14 REPRESENTATIVE THOMPSON: Mr. Speaker.

15 THE SPEAKER: Rule 6, Section 16,  
16 Ms. Thompson.

17 REPRESENTATIVE THOMPSON: Rule 6, Section  
18 16. Subsection what?

19 THE SPEAKER: Just a moment, Ms. Thompson.

20 REPRESENTATIVE THOMPSON: Thank you.

21 THE SPEAKER: Subsection A.

22 REPRESENTATIVE THOMPSON: Is it Subsection  
23 A1, 2, 3 or 4?

24 THE SPEAKER: The whole subsection.

25 REPRESENTATIVE THOMPSON: Well, now, this

1 says that the calendars will be placed in our mailboxes.  
2 It says that deviation of the calendar --

3 THE SPEAKER: It was put in mailboxes,  
4 Ms. Thompson.

5 REPRESENTATIVE THOMPSON: Pardon me?

6 THE SPEAKER: It was put in the mailboxes.

7 REPRESENTATIVE THOMPSON: It was on my  
8 desk.

9 THE SPEAKER: Well, maybe --

10 REPRESENTATIVE THOMPSON: Is that  
11 considered a mailbox now?

12 THE SPEAKER: Why don't you go check your  
13 mailbox, Ms. Thompson. I think it's there, also.

14 REPRESENTATIVE THOMPSON: So you don't --  
15 they don't have to meet the set of supplementals?

16 THE SPEAKER: No, ma'am.

17 REPRESENTATIVE THOMPSON: Okay. Thank you,  
18 Mr. Speaker.

19 THE SPEAKER: Mr. Burnam.

20 REPRESENTATIVE BURNAM: Parliamentary  
21 inquiry.

22 THE SPEAKER: State your inquiry.

23 REPRESENTATIVE BURNAM: Mr. Speaker, I'm  
24 wondering if we're reading from the same rules book.  
25 I'm having a hard time understanding the ruling.

1                   When I'm looking at Section 16A, the last  
2                   sentence of that reads, "Deviations from the calendar as  
3                   printed and distributed shall not be permitted except  
4                   that the Committees on Calendars" --

5                   THE SPEAKER: Could you back up from the  
6                   microphone, Mr. Burnam, because we can't understand a  
7                   word. You're rumbling back there.

8                   REPRESENTATIVE BURNAM: I'm sorry.

9                   THE SPEAKER: Thank you.

10                  REPRESENTATIVE BURNAM: Is that better?

11                  THE SPEAKER: That would be great.

12                  REPRESENTATIVE BURNAM: I'm reading the  
13                  last sentence, the first paragraph of Section 16, where  
14                  it says, "Deviations from the calendar as printed and  
15                  distributed shall not be permitted except the Committee  
16                  on Calendars shall be authorized to print and distribute  
17                  no later than two hours before the House concludes."

18                  THE SPEAKER: Mr. Burnam, they've never met  
19                  a Supplemental Calendar. They don't do that.

20                  REPRESENTATIVE BURNAM: But the rule then  
21                  simply does not apply because we've followed it before?

22                  THE SPEAKER: It's House practices which  
23                  we've done for years, Mr. Burnam.

24                  REPRESENTATIVE BURNAM: Okay.

25                  THE SPEAKER: Mr. Wooley moves that the

1 House stand in recess till 3:00 o'clock.

2 Is there an objection?

3 The Chair hears none.

4 So ordered.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2 STATE OF TEXAS:

3  
4 COUNTY OF HARRIS:

5  
6 I, Kateri A. Flot-Davis, Certified  
7 Shorthand Reporter in and for the State of Texas, hereby  
8 certify that the foregoing transcript is done to the  
9 best of my ability and reflects proceedings heard on  
10 video recording.

11 I further certify that I am neither  
12 counsel for, related to, nor employed by any of the  
13 parties or attorneys in the action in which this  
14 proceeding was taken, and further that I am not  
15 financially or otherwise interested in the outcome of  
16 the action.

17 Certified to by me this \_\_\_\_ of  
18 \_\_\_\_\_, \_\_\_\_.

19  
20  
21  
22 \_\_\_\_\_  
Kateri A. Flot-Davis  
Texas CSR No. 8462  
23 Expiration Date: 12-31-13  
24  
25

A	B			
<b>A1</b>	<b>B</b>	2:25 3:25	<b>convene</b>	8:2
7:23	2:4	<b>case</b>	3:16 4:6,15,	<b>Deviations</b>
<b>ability</b>	<b>back</b>	4:5	25 5:5	9:2,14
11:9	5:5,6 9:5,7	<b>Certified</b>	<b>convenes</b>	<b>difference</b>
<b>acquainted</b>	<b>based</b>	11:6,17	2:19 4:10,14	4:23
7:7	3:8	<b>certify</b>	<b>convening</b>	<b>distribute</b>
<b>action</b>	<b>believe</b>	11:8,11	5:3	3:11 4:1 7:5
11:13,16	4:9	<b>chair</b>	<b>correct</b>	9:16
<b>addressing</b>	<b>best</b>	2:10 3:7,10	4:3 5:14,16	<b>distributed</b>
6:23	11:9	6:10 10:3	6:9,24	2:18,24 3:24
<b>adjourn</b>	<b>better</b>	<b>chair's</b>	<b>corrected</b>	6:21 9:3,15
5:2	9:10	5:23	2:23	<b>Dunnam</b>
<b>adjourning</b>	<b>between</b>	<b>check</b>	<b>counsel</b>	5:18
4:19	4:23	8:12	11:12	<b>E</b>
<b>adopted</b>	<b>Bill</b>	<b>circumstance</b>	<b>COUNTY</b>	<b>E</b>
6:4	2:3 5:18,21	<b>s</b>	11:4	2:5
<b>allow</b>	<b>bills</b>	2:12	<b>CSR</b>	<b>effect</b>
7:4	2:7,15,22	<b>clarificatio</b>	11:22	5:24
<b>already</b>	5:12	<b>n</b>	<b>cure</b>	<b>either</b>
5:19,20,21	<b>book</b>	3:3	4:12	6:4
6:2	8:24	<b>clear</b>	<b>D</b>	<b>eligibility</b>
<b>also</b>	<b>Burnam</b>	2:20	<b>daily</b>	2:13
3:10 8:13	2:2 8:19,20,	<b>come</b>	2:8	<b>eligible</b>
<b>Amendments</b>	23 9:6,8,10,	5:5,6	<b>Date</b>	3:1,9,17 4:16
5:20 6:4	12,18,20,23,	<b>Committee</b>	11:23	<b>employed</b>
<b>another</b>	24	4:9 7:2,5	<b>day</b>	11:12
4:5	<b>Burnam's</b>	9:15	4:19	<b>entire</b>
<b>answered</b>	2:20	<b>Committees</b>	<b>debated</b>	2:21
3:7	<b>C</b>	9:4	5:20	<b>essence</b>
<b>apply</b>	<b>calendar</b>	<b>concludes</b>	<b>defeated</b>	6:5
9:21	2:8,14,15,	9:17	6:4	<b>Expiration</b>
<b>asked</b>	18,21,22,23	<b>consideratio</b>	<b>define</b>	11:23
3:4	3:5,9,12,17,	<b>n</b>	4:24	<b>F</b>
<b>attorneys</b>	23 4:12,13,16	2:3,9,15 3:1,	<b>delay</b>	<b>financially</b>
11:13	6:21,22 7:4	10	6:7	11:15
<b>authority</b>	8:2 9:2,14,19	<b>considered</b>	<b>desk</b>	<b>first</b>
7:2	<b>calendars</b>	5:20 6:22	6:21 8:8	9:13
<b>authorized</b>	2:10 7:2 8:1	8:11	<b>deviating</b>	<b>Flot-Davis</b>
3:25 9:16	9:4,16	<b>considers</b>	3:23	11:6,22
	<b>calendar's</b>	3:6	<b>deviation</b>	<b>followed</b>



9:21	2:19 3:9 4:1,	left	neither	parties
foregoing	10,14 6:7	6:2	11:11	11:13
11:8	9:17	legislative	never	permission
further	HOUSE	4:19	9:18	3:25
2:2,14 5:8	1:5 2:3,6,19	long	new	permitted
11:11,14	3:5,11,15	3:5	4:19	3:24 9:3,15
G	4:6,10,14	looking	notes	phrase
GALLEGGO	9:17,22 10:1	9:1	3:10	4:9
3:18,21 4:4,	I	lunch	null	pick
8,18,21,22	II	3:4	5:24	6:2
5:1,7,10,11,	1:9	M	numerous	placed
16,17 6:1,5,	impacts	ma'am	2:22	8:1
10,14,15	2:21	8:16	O	placing
glad	indicates	mailbox	objection	6:11
6:13	3:22 5:1	8:11,13	10:2	point
go	inquiry	mailboxes	o'clock	2:2,11,13,21
4:11 8:12	3:19,20 5:8,9	2:24 8:1,3,6	3:15 10:1	3:3,13 5:19
going	6:17,18 8:21,	maintain	Okay	6:3,6
4:15,20 5:6	22	5:13,14	8:17 9:24	post
6:1	interested	means	order	7:11,12
great	11:15	4:25 5:5	2:2,8,11,13,	practices
9:11	issue	meet	16,21,23 3:13	9:22
grounds	2:14 4:12	8:15	5:14,19 6:3,7	print
2:3	J	Members	ordered	3:11,25 7:2,5
H	journal	2:1	10:4	9:16
happened	6:12	met	outcome	printed
6:6	just	9:18	11:15	2:7,18,24
hard	7:7,19	microphone	P	3:23 4:13
8:25	K	9:6	p.m	9:3,14
HARRIS	Kateri	moment	4:11	proceeding
11:4	11:6,22	7:19	paragraph	11:14
heard	L	morning	9:13	proceedings
11:9	last	4:6	Pardon	11:9
hears	9:1,13	moves	8:5	process
10:3	later	3:14 9:25	Parliamentar	5:13,15
hereby	4:1,10 9:17	must	y	proper
11:7	lay	2:18 4:12,13	3:19 4:5 5:8	2:8,22
Hold	3:5,9,12	myself	6:16 8:20	properly
7:9	least	7:8	particular	3:16
hours	2:18	N	5:18,21	PT
				1:9

<b>purposes</b> 5:4	11:7	<b>says</b> 4:9,12 8:1,2 9:14	<b>Sub</b> 3:8	3:4 6:16,19, 20,25 7:1,6, 9,10,14,16, 17,19,20,22, 25 8:4,5,7, 10,13,14,17
<b>put</b> 8:3,6	<b>Representati</b> <b>ve</b> 2:1 3:4,14, 18,21 4:4,8, 18,22 5:1,7, 11,17 6:5,10, 16,20 7:1,6, 10,14,17,20, 22,25 8:5,7, 10,14,17,20, 23 9:8,10,12, 20,24	<b>Section</b> 2:4,5,6,17 3:8,11,22 4:2 7:15,17 9:1, 13	<b>Subsection</b> 2:5 7:18,21, 22,24	<b>Thompson's</b> 3:7
<b>Q</b>			<b>Supplemental</b> 2:15,17,23 3:12,16 4:13 6:22 7:5 9:19	<b>till</b> 10:1
<b>question</b> 3:7		<b>sentence</b> 9:2,13	<b>supplemental</b> <b>s</b> 8:15	<b>time</b> 2:16,25 3:16 4:5 5:2 6:23 8:25
<b>R</b>	<b>REPRESENTATI</b> <b>VES</b> 1:5	<b>set</b> 8:15	<b>supposed</b> 3:5	<b>today</b> 3:1,2 5:12
<b>raised</b> 5:19 6:3	<b>require</b> 2:7 5:13	<b>shall</b> 3:24,25 9:3, 15,16	<b>surrounding</b> 2:12	<b>transcript</b> 11:8
<b>raises</b> 2:2	<b>requires</b> 3:8,12	<b>Shorthand</b> 11:7	<b>sustained</b> 3:14	<b>turn</b> 2:12
<b>reading</b> 5:12 8:24 9:12	<b>respect</b> 5:11,21	<b>simply</b> 9:21	<b>sustains</b> 2:11	<b>two</b> 2:18 4:1,10, 13 6:7 9:17
<b>reads</b> 9:2	<b>result</b> 6:6	<b>sorry</b> 9:8	<b>T</b>	<b>two-hour</b> 3:12
<b>recess</b> 3:15 4:20,23 5:2 10:1	<b>reviewed</b> 2:10	<b>SPEAKER</b> 2:1 3:18,20, 21 4:3,4,7,8, 15,20,23,24 5:3,4,7,8,9, 16 6:1,7,9, 13,15,18,20, 24 7:4,7,9, 12,14,15,19, 21,24 8:3,6, 9,12,16,18, 19,22,23 9:5, 9,11,18,22, 25	<b>taken</b> 2:8 3:14 5:22 11:14	<b>U</b>
<b>reconsiderat</b> <b>ion</b> 5:25	<b>Rule</b> 2:4,5,17 3:8, 11,22 4:9,12, 24 5:1,5,12 7:6,13,15,17 9:20	<b>stamped</b> 2:25	<b>TEXAS</b> 1:5 11:2,7,22	<b>Under</b> 2:17 3:10
<b>reconvening</b> 4:19	<b>Rules</b> 2:6,7,11 7:4 8:24	<b>stand</b> 3:15 10:1	<b>Thank</b> 6:15 7:10,20 8:17 9:9	<b>understand</b> 9:6
<b>recording</b> 11:10	<b>ruling</b> 5:23 6:8,11 8:25	<b>State</b> 3:20 5:9 6:18 8:22 11:2,7	<b>therefore</b> 2:14 4:11	<b>understandin</b> <b>g</b> 5:18 8:25
<b>redistribute</b> 7:3	<b>rumbling</b> 9:7		<b>thing</b> 6:6	<b>V</b>
<b>reducing</b> 6:11	<b>S</b>		<b>things</b> 6:2	<b>video</b> 11:10
<b>referring</b> 3:22			<b>think</b> 8:13	<b>violates</b> 2:4
<b>reflects</b> 11:9			<b>third</b> 5:12	<b>void</b> 5:24
<b>related</b> 11:12			<b>Thompson</b>	
<b>relying</b> 4:2				
<b>Reporter</b>				

<b>votes</b>	17	
5:21	2:6	
<b>W</b>	1706	
<b>want</b>	2:3	
7:7	1A11	
<b>We'll</b>	2:4	
6:13	2	
<b>we're</b>	2	
4:2,15,18,20	7:23	
6:1 8:24	2005	
<b>we've</b>	1:7	
4:17 9:21,23	257	
<b>whole</b>	3:2	
2:13 7:24	3	
<b>wondering</b>	3	
8:24	1:7 7:23	
<b>Wooley</b>	300	
3:14 9:25	3:15 4:11,16	
<b>word</b>	5:6 10:1	
4:25 9:7	36	
<b>writing</b>	3:9	
6:11	4	
<b>Y</b>	4	
<b>years</b>	7:23	
9:23	6	
<b>1</b>	6	
1000	2:4,5,17 3:8,	
4:7	11 7:15,17	
<b>12-31-13</b>	7	
11:23	7	
<b>1257</b>	2:4	
3:1	8	
<b>15</b>	8462	
2:5	11:22	
<b>16</b>		
3:8,22 7:13,		
15,18 9:13		
<b>16A</b>		
2:5,17 3:11		
9:1		

House Floor Debate, 3rd Reading - Volume III

May 3, 2005

1

TEXAS HOUSE OF REPRESENTATIVES

MAY 3, 2005

PART III

1 REPRESENTATIVE DUNNAM: Mr. Speaker.

2 THE CHAIR: Mr. Dunnam for what purpose?

3 REPRESENTATIVE DUNNAM: Parliamentary  
4 inquiry.

5 THE SPEAKER: State your inquiry, Mr.  
6 Dunnam.

7 REPRESENTATIVE DUNNAM: It's my  
8 understanding that a revised, Supplemental Calendar was  
9 printed and distributed prior to our recess and was put  
10 in our boxes.

11 THE SPEAKER: That's correct.

12 REPRESENTATIVE DUNNAM: My question is  
13 this: The bill that was before the chair at the time,  
14 1706 I think was the number, was live before the House,  
15 and the point of order had not been sustained. It was  
16 still pending business before the House. Yet, the  
17 Calendars Committee, evidently, put it on a new  
18 calendar.

19 And my question is: If we have a bill  
20 before the body, how does calendar have jurisdiction  
21 over that bill to do anything? Because the rules are  
22 very clear about that in Rule 6, Section 16 and 17 and  
23 also 19 in regards to the placement of bills on a  
24 calendar.

25 So the question is: How did the Calendars

1 Committee have jurisdiction to do anything with the bill  
2 prior to the point of order being sustained?

3 THE SPEAKER: Mr. Dunnam, why don't you  
4 bring your point of order down front.

5 REPRESENTATIVE DUNNAM: I'm not making a  
6 point of order, Mr. Speaker.

7 THE SPEAKER: Why don't you bring your  
8 question down front.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

STATE OF TEXAS:

COUNTY OF HARRIS:

I, Kateri A. Flot-Davis, Certified  
Shorthand Reporter in and for the State of Texas, hereby  
certify that the foregoing transcript is done to the  
best of my ability and reflects proceedings heard on  
video recording.

I further certify that I am neither  
counsel for, related to, nor employed by any of the  
parties or attorneys in the action in which this  
proceeding was taken, and further that I am not  
financially or otherwise interested in the outcome of  
the action.

Certified to by me this \_\_\_\_ of  
\_\_\_\_\_, \_\_\_\_.

Kateri A. Flot-Davis  
Texas CSR No. 8462  
Expiration Date: 12-31-13

<b>A</b>	2:22	<b>H</b>	outcome	reflects
ability	Committee	HARRIS	4:15	4:9
4:9	2:17 3:1	4:4	over	regards
action	correct	heard	2:21	2:23
4:13,16	2:11	4:9	<b>P</b>	related
also	counsel	hereby	Parliamentar	4:12
2:23	4:12	4:7	<b>Y</b>	Reporter
attorneys	COUNTY	HOUSE	2:3	4:7
4:13	4:4	1:2 2:14,16	<b>PART</b>	REPRESENTATI
<b>B</b>	CSR	<b>I</b>	1:6	VE
being	4:22	III	parties	2:1,3,7,12
3:2	<b>D</b>	1:6	4:13	3:5
best	Date	inquiry	pending	REPRESENTATI
4:9	4:23	2:4,5	2:16	VES
bill	distributed	interested	placement	1:2
2:13,19,21	2:9	4:15	2:23	revised
3:1	down	<b>J</b>	point	2:8
bills	3:4,8	jurisdiction	2:15 3:2,4,6	Rule
2:23	DUNNAM	2:20 3:1	printed	2:22
body	2:1,2,3,6,7,	<b>K</b>	2:9	rules
2:20	12 3:3,5	Kateri	prior	2:21
boxes	<b>E</b>	4:6,22	2:9 3:2	<b>S</b>
2:10	employed	<b>L</b>	proceeding	Section
bring	4:12	live	4:14	2:22
3:4,7	evidently	2:14	proceedings	Shorthand
business	2:17	<b>M</b>	4:9	4:7
2:16	Expiration	making	purpose	Speaker
<b>C</b>	4:23	3:5	2:2	2:1,5,11 3:3,
Calendar	<b>F</b>	<b>N</b>	put	6,7
2:8,18,20,24	financially	neither	2:9,17	State
Calendars	4:15	4:11	<b>Q</b>	2:5 4:2,7
2:17,25	Flot-Davis	new	question	Supplemental
Certified	4:6,22	2:17	2:12,19,25	2:8
4:6,17	foregoing	number	3:8	sustained
certify	4:8	2:14	<b>R</b>	2:15 3:2
4:8,11	front	<b>O</b>	recess	<b>T</b>
CHAIR	3:4,8	order	2:9	taken
2:2,13	further	2:15 3:2,4,6	recording	4:14
clear	4:11,14		4:10	TEXAS
				1:2 4:2,7,22



think

2:14

time

2:13

transcript

4:8

U

understandin

g

2:8

V

video

4:10

1

12-31-13

4:23

16

2:22

17

2:22

1706

2:14

19

2:23

2

2005

1:4

3

3

1:4

6

6

2:22

8

8462

4:22

TEXAS HOUSE OF REPRESENTATIVES

MAY 3, 2005

PART IV

1 REPRESENTATIVE DUNNAM: Mr. Speaker.

2 THE SPEAKER: Mr. Dunnam, for what purpose?

3 REPRESENTATIVE DUNNAM: My understanding is  
4 the chair has considered the question and that the  
5 discussion of this, that I brought to the chair's  
6 attention is going to be placed in the journal for  
7 future reference but we're going to proceed,  
8 notwithstanding this argument?

9 THE SPEAKER: That's true.

10 Is there an objection?

11 REPRESENTATIVE DUNNAM: Thank you.

12 THE SPEAKER: The chair hears none.

13 So ordered.

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF TEXAS:

2  
3 COUNTY OF HARRIS:

4  
5 I, Kateri A. Flot-Davis, Certified  
6 Shorthand Reporter in and for the State of Texas, hereby  
7 certify that the foregoing transcript is done to the  
8 best of my ability and reflects proceedings heard on  
9 video recording.

10 I further certify that I am neither  
11 counsel for, related to, nor employed by any of the  
12 parties or attorneys in the action in which this  
13 proceeding was taken, and further that I am not  
14 financially or otherwise interested in the outcome of  
15 the action.

16 Certified to by me this \_\_\_\_ of

17 \_\_\_\_\_, \_\_\_\_.

18  
19  
20  
21 \_\_\_\_\_  
22 Kateri A. Flot-Davis  
23 Texas CSR No. 8462  
24 Expiration Date: 12-31-13  
25

A	2:1,2,3,11	2:6	reference	W
ability	E	K	2:7	we're
3:8	employed	Kateri	reflects	2:7
action	3:11	3:5,21	3:8	1
3:12,15	Expiration	N	related	12-31-13
argument	3:22	neither	3:11	3:22
2:8	F	3:10	Reporter	2
attention	financially	notwithstand	3:6	2005
2:6	3:14	ing	REPRESENTATI	1:7
attorneys	Flot-Davis	2:8	VE	3
3:12	3:5,21	O	2:1,3,11	3
B	foregoing	objection	REPRESENTATI	1:7
best	3:7	2:10	VES	8
3:8	further	ordered	1:5	8462
brought	3:10,13	2:13	S	3:21
2:5	future	outcome	Shorthand	
C	2:7	3:14	3:6	
Certified	G	P	Speaker	
3:5,16	going	PART	2:1,2,9,12	
certify	2:6,7	1:10	STATE	
3:7,10	H	parties	3:1,6	
chair	HARRIS	3:12	T	
2:4,12	3:3	placed	taken	
chair's	heard	2:6	3:13	
2:5	3:8	proceed	TEXAS	
considered	hears	2:7	1:5 3:1,6,21	
2:4	2:12	proceeding	Thank	
counsel	hereby	3:13	2:11	
3:11	3:6	proceedings	transcript	
COUNTY	HOUSE	3:8	3:7	
3:3	1:5	purpose	true	
CSR	I	2:2	2:9	
3:21	interested	Q	U	
D	3:14	question	understandin	
Date	IV	2:4	g	
3:22	1:10	R	2:3	
discussion	J	recording	V	
2:5	journal	3:9	video	
DUNNAM			3:9	

TEXAS HOUSE OF REPRESENTATIVES

MAY 3, 2005

PT. V



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008826

TX\_00212542

1 THE SPEAKER: The chair lays outs on third  
2 reading HB 1706. The clerk will read the bill.

3 THE CLERK: HB 1706 by Denny relating to  
4 requiring a voter to present proof of identification.

5 THE SPEAKER: The chair recognizes Ms.  
6 Denny.

7 REPRESENTATIVE DENNY: Thank you,  
8 Mr. Speaker.

9 This is the bill we started earlier today  
10 that requires the voter ID or two forms of ID for  
11 persons voting, and I'm going to move passage in a  
12 minute, but I believe there's an Amendment.

13 THE SPEAKER: The following amendment. The  
14 clerk will read the Amendment.

15 THE CLERK: Amendment by Veasey.

16 THE SPEAKER: The chair recognizes  
17 Mr. Veasey.

18 REPRESENTATIVE VEASEY: Mr. Speaker,  
19 members, this Amendment simply would encourage election  
20 workers to encourage voters to go and find their proper  
21 place to go and vote by providing a penalty, a Class A  
22 misdemeanor if the election judge fails to knowingly let  
23 the voter know that there are other acceptable forms of  
24 documentation if the voter does not bring the proper  
25 documentation with them.



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 And also that the voter may leave the  
2 polling place and return to the polling place at any  
3 time before the polls close. Then they'll be able to  
4 cast the ballot.

5 And also that the voter may cast the  
6 provisional ballot if the voter executes the ballot  
7 under the bill.

8 THE SPEAKER: The chair recognizes Ms.  
9 Denny.

10 REPRESENTATIVE DENNY: Thank you,  
11 Mr. Speaker.

12 I'm going to leave this Amendment up to the  
13 will of the House. There is a pretty severe penalty on  
14 election judges and clerks if they, for some reason,  
15 should fail in this attempt to not inform a voter of one  
16 of these forms of ID.

17 Also, it will be difficult if they have to  
18 return to the poll on election day in getting that  
19 provisional ballot out and dealing with that again.

20 But I'm going to leave this up to you here  
21 on the floor.

22 THE SPEAKER: The Amendment's been  
23 withdrawn.

24 The chair recognizes Ms. Thompson to speak  
25 against the passage of the bill.



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)



1 REPRESENTATIVE THOMPSON: Mr. Speaker,  
2 Members, thank you for letting me speak in opposition to  
3 this bill.

4 I think that one of the most valuable  
5 things that we hold dear is the right to vote. And  
6 during our campaign of democracy, whether we're doing it  
7 by ambassadors of goodwill or doing it by individuals or  
8 even by presidents, we always parade the right to vote,  
9 the democratic process and democracy here in America.

10 I'm really not in a habit, as I'm sure most  
11 of you all are not, in the habit of packing around your  
12 utility bills as some of my colleagues may be.

13 But personally, I just can't wait to here  
14 some hear some of the old persons in front of me become  
15 agast at the fact that they'll be asking, come again,  
16 you asking me for what?

17 For a long time we have had the Voter  
18 Registration Form after the abolition of the poll tax.  
19 And I thought that once we had the 13th Amendment, the  
20 19th and the one deal with race, sex and age covered,  
21 that we had really resolved the problem with voting in  
22 this country.

23 And this is really just not the elderly  
24 that I'm concerned about in House Bill 1704 that  
25 intimidates them. But minorities, particularly,



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 minority voters, are what's intimidated by requiring  
2 them to provide a driver's license, a potter's license,  
3 which nobody in my district probably own gun license,  
4 when they arrive at the polls.

5 And we would just like the election judges  
6 to create two lines: People of color with three forms  
7 of ID to the left, wealthy white people to the right,  
8 and everyone else can go home and pray.

9 Just as elections on a special day makes it  
10 harder for minorities and working class voters to make  
11 it to the polls, this is another attempt to  
12 disenfranchise voters less likely to support the  
13 priorities of this legislature.

14 A Voter Registration Card should be all you  
15 need to vote. If not, why are we forced continuously to  
16 spend millions of dollars to print and to mail them?  
17 And if there's so much fraud in printing these  
18 certificates, why are we locking up county clerks of the  
19 state?

20 Instead, we are punishing the voters to  
21 people who still think they have a voice in this  
22 government. Are you afraid to let the voters decide?  
23 That's the real question here.

24 And I thought that protecting the right to  
25 vote was an important goal, and I thought that making it



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 easy to vote was an important goal. But I've learned  
2 that the most of my colleagues do not share these goals.  
3 I've learned that many of my colleagues are afraid the  
4 wrong people will vote.

5 And we learned that last week in Mr. Kiel's  
6 speech, rebutting arguments that hadn't been made,  
7 calling out Members who hadn't spoken, and he carefully  
8 prepared a well-written comment against the Ethics Bill  
9 he co-authored.

10 And, Members, it doesn't take much to  
11 discourage people from voting. But we have been doing a  
12 great job of this succession, just like we did last week  
13 when we approved a bill last special session, when we  
14 approved a bill to let Tom DeLay choose the voters in  
15 300-mile Congressional District.

16 In this session, the leaders want to  
17 determine who is worthy to vote. And we talked about  
18 this bill earlier, the right of this bill coming to the  
19 floor.

20 But I want to remind you, Members, that  
21 last special session the Redistricting Bill was filed in  
22 the Clerk's Office. It was brought to the floor. It  
23 never went through the committee process. The rules  
24 were suspended and it was passed.

25 Mr. Speaker, I'd like to be shown as voting



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 no against this bill.

2 THE SPEAKER: The chair recognizes Mr.  
3 Strama to speak against.

4 MR. MORENO: Mr. Speaker.

5 THE SPEAKER: Mr. Moreno, for what purpose?

6 REPRESENTATIVE JOE MORENO: I'd like to  
7 show that we reduce Ms. Thompson's remarks in writing  
8 and placed in the journal.

9 THE SPEAKER: Why don't you come down front  
10 while Mr. Strama's speaking.

11 The chair recognizes Mr. Strama.

12 REPRESENTATIVE STRAMA: Thank you,  
13 Mr. Speaker.

14 Members, I know we talked about this a lot  
15 yesterday. I went home last night and I was still  
16 thinking about it, and I talked to my fiancée about it  
17 and she said, "Wow, I'm surprised. I thought you would  
18 be for that bill, as much as your life and work has been  
19 spent securing the integrity of elections." She thought  
20 I would be for this bill.

21 And so I realized that we hadn't done a  
22 very good job yesterday of explaining what the problems  
23 are with this bill and I'm going to ask you to indulge  
24 me for a moment.

25 Let me start by commending Chairwoman



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 Denny. Yesterday you did a great job keeping your cool  
2 under a lot of difficult questioning.

3 I know that as Republicans, those of you  
4 who support this bill, probably take as much offense at  
5 the implications of the political process as we  
6 Democrats take offense at the implication that we don't  
7 believe elections should be secure from fraud.

8 Let's assume that both of us want fair,  
9 free elections in which everyone has access to the  
10 ballot and no one is allowed to vote improperly or  
11 twice.

12 If we assume that, then we can talk about  
13 what are the right ways to guarantee that procedurally?

14 Because at the end of the day, this is a  
15 bill about election procedure. And we have to make sure  
16 that those procedures are fair to everyone. And I think  
17 at the end of the day we have to err on the side of  
18 inclusion when we know we have a problem with voter  
19 turn-out in this state and we are not able to document  
20 any specific evidence of actual fraud that would be  
21 deterred by this legislation.

22 Mr. Keel, we voted for two of your bills in  
23 this past month that try to safeguard the integrity of  
24 the election process from fraudulent voting by mail,  
25 which is probably the most vulnerable part of our



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 election process.

2 It's widely agreed among election  
3 administrators and security experts that voting by mail  
4 is the part where it is easiest to defraud an election.

5 You have to realize that election fraud is  
6 a high risk, low reward endeavor in our system because  
7 the risks and the consequences are high. We cannot  
8 always deter election fraud before it happens but it is  
9 pretty easy to find it after it happens.

10 And only one vote at a time can be cast  
11 fraudulently, not in a way that generally changes the  
12 outcome of an election. But it does get caught, and  
13 there is an Election Crimes Division at the United  
14 States Department of Justice. There is the Attorney  
15 General's Office. There are local District Attorney's  
16 Office and there are competent election administrators  
17 around this state who look for that kind of fraud all  
18 the time.

19 But let me tell you what the practical  
20 effect of this legislation will be. No. One, it will  
21 cause a significant increase in the number of  
22 provisional ballots that are cast on election day. This  
23 should be of significant concern to all election  
24 administrators.

25 In the Help America Vote Act there are very



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 short timeframes during which provisional ballots have  
2 to be vetted and determined whether they will be cast,  
3 whether they will be count or discarded.

4 By increasing the number of provisional  
5 ballots that get cast, and Representative Anchia told  
6 you yesterday only 21 percent of provisional ballots got  
7 counted in the 2004 election.

8 If we increase that number, we do two  
9 things: One, we increase the work load on election  
10 officials at a time when they're already extremely busy.

11 Two, we decrease their ability to do  
12 thorough due diligence on all of the provisional ballots  
13 that they have to review. That is a significant new  
14 burden to put on election administrators. It is an  
15 unfunded mandate on them, and it is something that not  
16 only effects the votes cast under this legislation, but  
17 effected all the other provisional votes that are cast  
18 in an election period.

19 Second practical problem with the bill: It  
20 gives an extraordinary amount of new discretion to the  
21 volunteer poll workers who work at the polls on election  
22 day.

23 The most difficult challenge election  
24 administrators face is the challenge of getting  
25 competent volunteers to the polls on election day. It



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 is extraordinarily difficult, and you will notice it  
2 when you go to the polls, they have a very hard time  
3 getting people in my generation and younger to work the  
4 polls.

5 At a time when the polls are getting  
6 increasingly technologically sophisticated, it is very  
7 difficult to get poll workers who can meet the  
8 requirements of the 21st-century voting booth.

9 So what we are doing in this bill is  
10 requiring something entirely new for poll workers. They  
11 not only have to review and check the list and say yes,  
12 the docket, the standards have been met. The clear  
13 documentation requirements have been met. They have to  
14 make a discretionary judgment about whether the ID being  
15 presented to them is the ID of the person that is  
16 presenting it.

17 That is a whole new level of discretion and  
18 I predict there will be pockets of problems where poll  
19 workers turn voters away using this new discretion that  
20 they've been granted. And there will be lawsuits that  
21 result from it.

22 Members, the 2000 election in Florida is  
23 the most closely scrutinized election we've ever had.  
24 And that election, after the fact -- every single vote  
25 in that election was looked at with a microscope. They



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)



1 did not find examples with the type of fraud that this  
2 legislation is designed to prevent.

3 But they found countless examples of people  
4 who were denied the right to vote who should have been  
5 allowed to vote, all of which are well documented.

6 I happen to have a little bit of experience  
7 with this. My company won a contract with in the state  
8 of Florida to fix their voter registration database  
9 after the 2000 election. And I spent a lot of time  
10 going through the problems that occurred in the 2000  
11 election in Florida. This was not the problem. The  
12 problem that this bill is intended to address is not  
13 what went wrong in Florida.

14 We've done a lot to fix the problems that  
15 went wrong in Florida with the elections. What I  
16 addressed is the problem of legitimate voters being  
17 turned away from the polls due to errors by the election  
18 administrators. That problem is worse and worse.

19 And the third practical problem with this  
20 bill: This bill should necessitate the creation of a  
21 split voter registration roll which should significantly  
22 (inaudible) the administration of the Voter Registration  
23 Database.

24 In 1995 Congress implemented the Federal  
25 Motor Voter bill, and it required states to allow people



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 to register to vote by mail and at driver's license  
2 agencies. Two states refused to comply with the law and  
3 said we're not going to let our voters register at  
4 driver's license agencies and by mail.

5 In those two states, Illinois and  
6 Mississippi, because federal law required it for federal  
7 elections, they had to maintain a split Voter  
8 Registration Database.

9 People who registered by mail were on one  
10 list and were allowed to vote a federal ballot. People  
11 who registered to vote under the old Mississippi and  
12 Illinois procedures were on the list of people who got  
13 to vote the entire federal and statewide ballot.

14 Because this bill deviates from federal  
15 standards, it necessitates that election administrators  
16 maintain two lists of federal voters. It required that  
17 we have primary voters who do not meet the state  
18 requirements but do meet the federal requirements and  
19 that we allow them to vote the federal ballot because  
20 that's what federal law says.

21 I was there in Washington when the Help  
22 America Vote Act was negotiated. And the identification  
23 requirements in the Help America Vote Act were the most  
24 hotly contested part of that bill. And they settled on  
25 the ID requirements that we have in the Help America



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 Vote Act because that is what is necessary to create  
2 security in the electoral process.

3 Let's not diminish what those ID  
4 requirements are. No one is ever allowed to vote in  
5 this country if they have not been ID'd with Photo ID or  
6 with another form of ID and with the last four digits of  
7 their Social Security number or with a driver's license  
8 number, either at the time that they register to vote or  
9 on the first occasion of their voting.

10 It is not allowed for you to go vote by  
11 mail --

12 THE SPEAKER: Mr. Jones, what's your  
13 question?

14 REPRESENTATIVE DELWIN JONES: Mr. Speaker,  
15 would the gentleman yield for a question?

16 THE SPEAKER: Do you yield?

17 REPRESENTATIVE STRAMA: Mr. Jones, if  
18 you'll give me a minute and a half.

19 THE SPEAKER: Not at this time, Mr. Jones.

20 REPRESENTATIVE STRAMA: Am I out of time?

21 THE SPEAKER: No.

22 REPRESENTATIVE STRAMA: Okay.

23 We have security that requires first-time  
24 voters to vote in-person if they did not register to  
25 vote in-person. We authenticate the individuals



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 identity at that time.

2 Security experts that worked in the -- I  
3 worked in the technology field for five years. Security  
4 experts will tell you that is the level of  
5 authentication that is appropriate to this enterprise.  
6 To go beyond that gets into the area where it cuts  
7 people out of the process.

8 I know that is not the intent of the  
9 chairwoman, but she acknowledged in Florida bay  
10 yesterday, that this bills requirements will be  
11 harder --

12 THE SPEAKER: The point of order has been  
13 raised. The gentleman's time has expired. The point of  
14 order is well taken.

15 REPRESENTATIVE STRAMA: Thank you.  
16 Members. I hope oppose this bill.

17 THE SPEAKER: Mr. Jones, for what purpose?  
18 Unfortunately, Mr. Jones, he yields the  
19 floor.

20 Ms. Davis?

21 REPRESENTATIVE DELWIN JONES: Mr. Speaker,  
22 can I move to extend the speaker's time so he might  
23 respond to questions?

24 THE SPEAKER: Members, you've heard the  
25 motion. Mr. Jones moves to extend the gentleman's time.



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 Is there an objection?

2 Members, it is a division vote.

3 All those in favor to extend the  
4 gentleman's time vote aye. All those opposed vote no.

5 5, 2, vote. The gentleman's time is  
6 extended.

7 REPRESENTATIVE STRAMA: I do yield.

8 REPRESENTATIVE DELWIN JONES: Let me see if  
9 my farmer's ears understand what you said in that  
10 dialogue.

11 I believe you said that this bill would  
12 discourage voter participation; is that correct?

13 REPRESENTATIVE STRAMA: I believe it could  
14 cause some voters to be turned away from the polls.

15 REPRESENTATIVE DELWIN JONES: Also, I think  
16 you said it would discourage workers from working at the  
17 polls because of the various documents and/or rejecting  
18 someone from the voting process. Was that a part of it?

19 REPRESENTATIVE STRAMA: Mr. Jones, that's  
20 correct.

21 REPRESENTATIVE DELWIN JONES: And would you  
22 agree with me that the less people who participate in an  
23 election, the less fraudulent votes would have on that  
24 process?

25 REPRESENTATIVE STRAMA: I would agree with



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 that.

2 REPRESENTATIVE DELWIN JONES: Thank you.

3 REPRESENTATIVE VILLAREAL: Mr. Speaker.

4 THE SPEAKER: Mr. Villarreal, for what  
5 purpose?

6 REPRESENTATIVE VILLARREAL: Will the  
7 gentleman yield for a question?

8 THE SPEAKER: Mr. Strama, do you yield?

9 REPRESENTATIVE STRAMA: I will.

10 THE SPEAKER: The gentleman yields.

11 REPRESENTATIVE VILLARREAL: Can you explain  
12 your third point a little more simply.

13 My understanding is that we're creating two  
14 different standards, and I'm interested in how this  
15 impacts my County Elections Department.

16 What I heard you say is that we are  
17 creating, sort of, a split roll in terms of voting. My  
18 precinct judge is going to have to maintain two sets of  
19 ballots, one for federal elections, one for all other  
20 elections, and federal elections, and that a voter who  
21 may not meet our state, stricter standard cannot  
22 (Inaudible) election.

23 REPRESENTATIVE STRAMA: I think you  
24 understand it correctly. The background that you need  
25 to know is that when the federal government makes laws



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 regarding elections, it does so only as a regard to  
2 conduct the federal elections. It has no authority over  
3 the conduct of state elections.

4 So when it passed the Help America Vote  
5 Act, it enacted standards that governed the  
6 administration of federal elections.

7 When we deviate from those standards, we  
8 create a dual-administrative process at the local level.  
9 One, for the conduct of the federal election. One, for  
10 the conduct of the state elections.

11 And a voter who does not meet the ID  
12 requirements in Representative Denny's bill should be  
13 allowed to vote on federal elections by meeting the  
14 requirements in the Help America Vote Act.

15 REPRESENTATIVE VILLARREAL: You said should  
16 be allowed. Aren't they required to be allowed?

17 REPRESENTATIVE STRAMA: Under the law they  
18 should be.

19 REPRESENTATIVE VILLARREAL: My  
20 understanding is we can't override federal law.

21 REPRESENTATIVE STRAMA: You're correct  
22 about that.

23 REPRESENTATIVE VILLARREAL: So we're  
24 creating a dual-election process where voter (Inaudible)  
25 way voters aren't turned away if they fail to meet our



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 standard but they meet the federal standard?

2 REPRESENTATIVE STRAMA: And I'll tell you  
3 when this was it done in Illinois and Mississippi in  
4 1996 it quickly collapsed of its own weight.

5 REPRESENTATIVE VILLARREAL: Thank you.

6 REPRESENTATIVE STRAMA: Thank you, Members.

7 THE SPEAKER: The chair recognizes  
8 Representative Davis.

9 REPRESENTATIVE YVONNE DAVIS: Thank you,  
10 Mr. Speaker, Members.

11 I'd like to take a moment just to suggest  
12 that we really ought to review what we're doing here.

13 House Bill 1706 has the effect of taking  
14 fundamental rights away. We are a country of a  
15 democracy. We are we encourage. We should be  
16 encouraging participation.

17 What 1706 will have the effect to do is to  
18 suppress voter participation and have the ability to  
19 have fewer people make decisions for our state and our  
20 country.

21 We ought to be creating bills for the  
22 people. To support the people, not to hinder them. And  
23 when we pass a bill like this, it's punitive in nature.

24 If we're trying to fix voter fraud, I think  
25 we have rules and laws on the books to address voter



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)



1 fraud.

2 Why are we imposing these standards on  
3 voters who just wish to participate in this governmental  
4 process, that we say that the 26th Amendment gives  
5 18-year olds and older to vote in our state and our  
6 country.

7 And now we're coming up with these  
8 different kind of standards which have the effect of  
9 saying that you have to prove yourself worthy of a vote  
10 instead of being able to enjoy that constitutional right  
11 we've been given once we reach or turn the age of 18.

12 I'm concerned that when we talk about the  
13 provisional ballots, when we talk about having two  
14 ballots, the regular ballot will be counted and then its  
15 provisional ballot.

16 There's no question a provisional ballot  
17 would be very difficult to count. We're now going to  
18 create a separate class of ballots. We know when we do  
19 separate ballots, separate classes, we know that  
20 inherently creates an inequity.

21 So now we're going to have this provisional  
22 ballot that people are going to go with votes, thinking  
23 they're going to cast their votes for a particular issue  
24 or a candidate and not know if it gets counted.

25 We are going to impose those kind of



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 standards that have the effect of eliminating people's  
2 participation in this process.

3 I think that in 1706, we are being punitive  
4 to those voters who have a right to vote, and I don't  
5 think it does anything to address fraudulent voters.

6 None of us want elections based on a  
7 fraudulent vote. All of us run under elections and for  
8 voters to vote for us. So we know how important or  
9 significant it is that we have fair elections.

10 The question is: Do we penalize and  
11 suppress votes by creating these barriers?

12 I would submit that HB 1706 is creating  
13 barriers. Instead barriers, instead of creating  
14 opportunities to encourage, to increase voter  
15 participation, it creates barriers. It has an effect of  
16 setting up standards that make it difficult for many  
17 people to vote.

18 We've seen Dallas County, when they want to  
19 suppress elections, they come out with rules and  
20 standards and post signs. And this is just another way  
21 of doing it to suppress voter participation.

22 Why are we going to ask senior citizens to  
23 bring in their utilities if they don't have IDs? To  
24 bring in two utilities bills with their names and  
25 addresses? I mean, we're creating a barrier that we



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 should not be imposing on the citizens of our states.

2 And I will tell you that I think HB 1706,  
3 it does not help the folks of the State of Texas. It  
4 creates and hampers their right to vote and we ought not  
5 be doing that this legislative session.

6 So I ask you, Members, to think about how  
7 would you feel if someone came out and prevented you  
8 from casting your vote? How would you feel if there  
9 were these artificial barriers created in this house  
10 that created a difficulty for you to vote?

11 That's the question: Are we willing to do  
12 the same thing to ourselves as we're doing to others?

13 HB 1706 will have the effect of suppressing  
14 voter participation.

15 REPRESENTATIVE HODGE: Mr. Speaker.

16 THE SPEAKER: Ms. Hodge, for what purpose?

17 REPRESENTATIVE HODGE: Will the lady yield  
18 for a couple questions?

19 THE SPEAKER: Ms. Davis, do you yield?

20 REPRESENTATIVE YVONNE DAVIS: Yes.

21 THE SPEAKER: The lady yields have.

22 REPRESENTATIVE HODGE: Representative  
23 Davis, have you ever heard the saying, you cannot  
24 understand the plight of my walk unless you've walked a  
25 mile in my shoes?



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 REPRESENTATIVE YVONNE DAVIS: I have heard  
2 that Representative Hodge.

3 REPRESENTATIVE HODGE: Have you ever had  
4 any idea what's really meant by that?

5 REPRESENTATIVE YVONNE DAVIS:  
6 Representative Hodge, unfortunately, I know exactly  
7 what's meant by that.

8 REPRESENTATIVE HODGE: Well, let me ask  
9 you: Are you concerned a lot about this bill, not as it  
10 being a minority bill, but a bill that restricts the  
11 rights of all voters to vote?

12 REPRESENTATIVE YVONNE DAVIS: That's why it  
13 is so offensive. This bill has the effect of  
14 suppressing people in their government. It doesn't  
15 matter what color they are. It doesn't matter what  
16 neighborhood they live in. It will have that effect.  
17 And any time it has an effect in any neighborhood, the  
18 entire system is effected by it.

19 REPRESENTATIVE HODGE: Now, let me ask you  
20 about the plight of walking in your shoes that may give  
21 you a different concern about this bill.

22 During your lifetime, are you familiar at  
23 all with any of your grandparents having to pay poll  
24 tax?

25 REPRESENTATIVE YVONNE DAVIS: Yes, ma'am.



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 REPRESENTATIVE HODGE: To have the right to  
2 vote?

3 REPRESENTATIVE YVONNE DAVIS: Yes, ma'am.  
4 Yes, ma'am. I remember my dad having to pay poll tax,  
5 Ms. Hodge.

6 REPRESENTATIVE HODGE: Anywhere in your  
7 lifetime do you remember, members of the African  
8 American community having to take a Litmus Test to have  
9 the right to vote, even being told that they failed the  
10 test when they passed it?

11 REPRESENTATIVE YVONNE DAVIS: Yes, ma'am,  
12 Representative Hodge. I'm very familiar with that.

13 REPRESENTATIVE HODGE: Now, when I talk  
14 about this walk a mile in my shoes, we've got other  
15 people in this room. Do you think that maybe they don't  
16 understand our plight about voting because they've never  
17 walked that mile in these shoes?

18 REPRESENTATIVE YVONNE DAVIS:  
19 Representative Hodge, I hope it's based on just not  
20 understanding. I would hate to think that this bill is  
21 designed to suppresses voter participation.

22 And I would hope that they would listen to  
23 (Inaudible) that would suggest that this would have that  
24 effect in our community so that they would not think  
25 that this is just some discussion about it. This is



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 reality for us.

2 They do differently in our communities.

3 They handle elections differently in our communities

4 than they do in any others. So this is real for us.

5 This is what people have to experience coming into our

6 communities to execute their right to vote.

7 REPRESENTATIVE HODGE: So are you familiar  
8 with women suffrage?

9 REPRESENTATIVE YVONNE DAVIS: Yes, ma'am.

10 REPRESENTATIVE HODGE: Where women who were  
11 not of color did not have the right to vote?

12 REPRESENTATIVE YVONNE DAVIS: That's  
13 correct, Representative Hodge, I am.

14 REPRESENTATIVE HODGE: But would you think  
15 that our colleagues in this room may not understand that  
16 plight because that was over in 1920, and there are very  
17 few women in this room that was born in 1920 or before?

18 REPRESENTATIVE YVONNE DAVIS: That's right.

19 REPRESENTATIVE HODGE: So do you think  
20 they're not being selfish to us, but do you think they  
21 just do not understand the plight since they themselves  
22 have never personally experienced it the way you and I  
23 have, that we have such a great respect for the right to  
24 vote is?

25 REPRESENTATIVE YVONNE DAVIS: I think



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 that's one of the challenges for us is that people don't  
2 understand how much blood, sweat and tears passed on  
3 before we were given the right, before we were able to  
4 execute our right.

5 And then to put these artificial boundaries  
6 in place to suppress and barriers to prevent us from  
7 participating. We've seen it before. It might be  
8 neater, or it might be cleaner, but it is, in fact, a  
9 means in which to suppress our votes and our  
10 participation.

11 And we ought to be all offended by it as  
12 Members who are elected by the vote. We ought to have a  
13 greater appreciation for one's right to vote.

14 REPRESENTATIVE HODGE: So are you telling  
15 me that what you think of when you think of this is the  
16 fact that you had to overcome poll tax? You had to  
17 overcome the Litmus test? These are all trying to  
18 obtain the right to vote?

19 You had to demonstrate and protest? If you  
20 may remember the death of Caney, Swina and Goodman who  
21 lost their lives in the south fighting for the right of  
22 people to vote? Would you remember that?

23 REPRESENTATIVE YVONNE DAVIS: I do remember  
24 that, Ms. Hodge. That's why Texas is under the Voting  
25 Right Act because we know, we know that we have put in



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 laws that have suppressed and discouraged participation  
2 and that's why these things, this 1706 represents that  
3 kind of turning the clock back.

4 REPRESENTATIVE HODGE: Do you think that  
5 your colleagues here are even aware of the fact that  
6 African Americans in the south is the reason, basically,  
7 the Voting Rights Act was created and that we are the  
8 only people in this country who have to have  
9 Congressional Certification every ten years to maintain  
10 the right to vote?

11 Now, I know when President Bush was asked  
12 about this just a month or so ago, he was not familiar  
13 with the Voting Rights Act. So do you think that maybe  
14 that's something our colleagues are not familiar with,  
15 also?

16 REPRESENTATIVE YVONNE DAVIS: Well, let me  
17 just assure you, Ms. Hodge, the fact that we have Voting  
18 Rights Act has been a tool to prevent this kind of bills  
19 and legislation, which would have the effect of  
20 suppressing and discouraging voter participation,  
21 particular folks, because everyone is guaranteed the  
22 right to vote when they become 18 or older.

23 And so this, in my judgment is another  
24 means in which to turn the clock back, try to discourage  
25 participation in a form of intimidation and a form of



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)



1 creating artificial requirements to suggest that a  
2 person shows up with two utility bills as an address,  
3 makes them a proper voter.

4 I mean, the whole theory is voters should  
5 not have to prove they're legitimate. We should deal  
6 with the fraudulent voters. Everyone should be able to  
7 freely come in and vote. We should not penalize those  
8 that have a right to vote based on what someone else  
9 did. Let's penalize the fraudulent voters. Or the  
10 crime --

11 THE SPEAKER: The point of order is well  
12 taken. Thank you.

13 REPRESENTATIVE YVONNE DAVIS: Thank you,  
14 Representative.

15 I'd ask Members to vote no on this bill.

16 THE SPEAKER: The chair recognizes  
17 Mr. Burnam.

18 REPRESENTATIVE BURNAM: Mr. Speaker,  
19 Members, I think you all know that I think that this is  
20 a really bad bill. I think this is one of those bills  
21 that points out the hypocrisy of what goes on in this  
22 legislative body, and I want to talk about that a little  
23 bit.

24 But, first, I want to remind you where we  
25 opened this discussion yesterday on the second reading



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 when the author of the bill was laying out the bill.

2 I read to you then and I'm going to reread  
3 to you one or two sentences from the AARP letter which  
4 says, "HB 1706 will impose the modern version of a poll  
5 tax, as it will force elderly, retired and disabled  
6 voters to purchase and furnish official documents, such  
7 as birth certificates, passports, driver's licenses or  
8 government identity cards as a prerequisite to  
9 registering or casting a ballot. An artificial obstacle  
10 to voting.

11 "Voter Identification requirements will  
12 negatively impact thousands of AARP Members, especially  
13 those who have voluntarily given up the right to drive."

14 REPRESENTATIVE HODGE: Mr. Speaker.

15 THE SPEAKER: Ms. Hodge, for what purpose?

16 REPRESENTATIVE HODGE: Will the gentleman  
17 yield for a question?

18 THE SPEAKER: Mr. Burnam, do you yield?

19 REPRESENTATIVE BURNAM: For a question.

20 REPRESENTATIVE HODGE: No, I have two.

21 REPRESENTATIVE BURNAM: Two questions.

22 Yes, I yield.

23 THE SPEAKER: The gentleman yields.

24 REPRESENTATIVE HODGE: REPRESENTATIVE  
25 BURNAM, are you speaking against this bill because you



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 think it is a bad bill?

2 REPRESENTATIVE BURNAM: Absolutely.

3 REPRESENTATIVE HODGE: Then let me ask you:  
4 After all the work we've done on this side on this bill,  
5 are you aware that 11 senators on the other side have  
6 already voted to block the passage or the hearing of  
7 this bill in the Senate?

8 REPRESENTATIVE BURNAM: I have heard that  
9 11 senators have signed a letter saying that no way  
10 would they allow this bill to come to the Senate floor  
11 because it is such a bad bill.

12 And so if those 11 senators hold true to  
13 their commitment, this bill will not become law, which  
14 is a good thing.

15 But I think it's an important thing that we  
16 are all reminded that in addition to the letter from the  
17 AARP, we have a letter cosigned by the NAACP, LULAK, the  
18 American Civil Liberties Union, MALDAV, the United Farm  
19 Workers, the State AFL, PRO, and People for the American  
20 Way all raising objections saying that this bill  
21 relating to requiring a voter to present proof of  
22 identification which will create one of the most  
23 restrictive voting laws in the nation.

24 Now, I want to talk about hypocrisy. I can  
25 read letters. You can read letters. We can talk about



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 what all the third-party people are talking about. But  
2 I want to talk about hypocrisy.

3 Since the 1870. Corporations in this  
4 country have had way too much influence in power and  
5 control over our democracy in the election process.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

JA\_008856

TX\_00212572

1 STATE OF TEXAS:

3 COUNTY OF HARRIS:

5 I, Kateri A. Flot-Davis, Certified  
6 Shorthand Reporter in and for the State of Texas, hereby  
7 certify that the foregoing transcript is done to the  
8 best of my ability and reflects proceedings heard on  
9 video recording.

10 I further certify that I am neither  
11 counsel for, related to, nor employed by any of the  
12 parties or attorneys in the action in which this  
13 proceeding was taken, and further that I am not  
14 financially or otherwise interested in the outcome of  
15 the action.

16 Certified to by me this \_\_\_\_ of

17 \_\_\_\_\_, \_\_\_\_.

21 \_\_\_\_\_  
22 Kateri A. Flot-Davis  
23 Texas CSR No. 8462  
24 Expiration Date: 12-31-13  
25



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

A				
<b>AARP</b> 29:3, 12 30:17	12:22 18:6 <b>administrato</b> <b>rs</b> 9:3, 16, 24 10:14, 24 12:18 13:15 <b>AFL</b> 30:19 <b>afraid</b> 5:22 6:3 <b>African</b> 24:7 27:6 <b>agast</b> 4:15 <b>age</b> 4:20 20:11 <b>agencies</b> 13:2, 4 <b>ago</b> 27:12 <b>agree</b> 16:22, 25 <b>agreed</b> 9:2 <b>allow</b> 12:25 13:19 30:10 <b>allowed</b> 8:10 12:5 13:10 14:4, 10 18:13, 16 <b>already</b> 10:10 30:6 <b>also</b> 3:1, 5, 17 16:15 27:15 <b>always</b> 4:8 9:8 <b>ambassadors</b> 4:7 <b>Amendment</b>	2:12, 13, 14, 15, 19 3:12 4:19 20:4 <b>Amendment's</b> 3:22 <b>America</b> 4:9 9:25 13:22, 23, 25 18:4, 14 <b>American</b> 24:8 30:18, 19 <b>Americans</b> 27:6 <b>among</b> 9:2 <b>amount</b> 10:20 <b>Anchia</b> 10:5 <b>and/or</b> 16:17 <b>another</b> 5:11 14:6 21:20 27:23 <b>Anywhere</b> 24:6 <b>appreciation</b> 26:13 <b>appropriate</b> 15:5 <b>approved</b> 6:13, 14 <b>area</b> 15:6 <b>arguments</b> 6:6 <b>around</b> 4:11 9:17 <b>arrive</b> 5:4 <b>artificial</b>	22:9 26:5 28:1 29:9 <b>asked</b> 27:11 <b>asking</b> 4:15, 16 <b>assume</b> 8:8, 12 <b>assure</b> 27:17 <b>attempt</b> 3:15 5:11 <b>Attorney</b> 9:14 <b>attorneys</b> 32:12 <b>Attorney's</b> 9:15 <b>authenticate</b> 14:25 <b>authenticati</b> <b>on</b> 15:5 <b>author</b> 29:1 <b>authority</b> 18:2 <b>aware</b> 27:5 30:5 <b>aye</b> 16:4	13:10, 13, 19 20:14, 15, 16, 22 29:9 <b>ballots</b> 9:22 10:1, 5, 6, 12 17:19 20:13, 14, 18, 19 <b>barrier</b> 21:25 <b>barriers</b> 21:11, 13, 15 22:9 26:6 <b>based</b> 21:6 24:19 28:8 <b>basically</b> 27:6 <b>bay</b> 15:9 <b>being</b> 11:14 12:16 20:10 21:3 23:10 24:9 25:20 <b>believe</b> 2:12 8:7 16:11, 13 <b>best</b> 32:8 <b>beyond</b> 15:6 <b>bill</b> 2:2, 9 3:7, 25 4:3, 24 6:8, 13, 14, 18, 21 7:1, 18, 20, 23 8:4, 15 10:19 11:9 12:12, 20, 25 13:14, 24 15:16 16:11 18:12 19:13, 23
			<b>B</b>	
			<b>back</b> 27:3, 24 <b>background</b> 17:24 <b>bad</b> 28:20 30:1, 11 <b>ballot</b> 3:4, 6, 19 8:10	

23:9,10,13, 21 24:20 28:15,20 29:1,25 30:1, 4,7,10,11, 13,20 <b>bills</b> 4:12 8:22 15:10 19:21 21:24 27:18 28:2,20 <b>birth</b> 29:7 <b>bit</b> 12:6 28:23 <b>block</b> 30:6 <b>blood</b> 26:2 <b>body</b> 28:22 <b>books</b> 19:25 <b>booth</b> 11:8 <b>born</b> 25:17 <b>both</b> 8:8 <b>boundaries</b> 26:5 <b>bring</b> 2:24 21:23,24 <b>brought</b> 6:22 <b>burden</b> 10:14 <b>Burnam</b> 28:17,18 29:18,19,21, 25 30:2,8	<b>Bush</b> 27:11 <b>busy</b> 10:10 <hr/> <b>C</b> <b>calling</b> 6:7 <b>came</b> 22:7 <b>campaign</b> 4:6 <b>candidate</b> 20:24 <b>Caney</b> 26:20 <b>cannot</b> 9:7 17:21 22:23 <b>Card</b> 5:14 <b>cards</b> 29:8 <b>carefully</b> 6:7 <b>cast</b> 3:4,5 9:10,22 10:2,5,16,17 20:23 <b>casting</b> 22:8 29:9 <b>caught</b> 9:12 <b>cause</b> 9:21 16:14 <b>certificates</b> 5:18 29:7 <b>Certificatio</b> <b>n</b> 27:9 <b>Certified</b>	32:5,16 <b>certify</b> 32:7,10 <b>chair</b> 2:1,5,16 3:8, 24 7:2,11 19:7 28:16 <b>Chairwoman</b> 7:25 15:9 <b>challenge</b> 10:23,24 <b>challenges</b> 26:1 <b>changes</b> 9:11 <b>check</b> 11:11 <b>choose</b> 6:14 <b>citizens</b> 21:22 22:1 <b>Civil</b> 30:18 <b>Class</b> 2:21 5:10 20:18 <b>classes</b> 20:19 <b>cleaner</b> 26:8 <b>clear</b> 11:12 <b>clerk</b> 2:2,3,14,15 <b>clerks</b> 3:14 5:18 <b>Clerk's</b> 6:22 <b>clock</b> 27:3,24	<b>close</b> 3:3 <b>closely</b> 11:23 <b>co-authored</b> 6:9 <b>collapsed</b> 19:4 <b>colleagues</b> 4:12 6:2,3 25:15 27:5,14 <b>color</b> 5:6 23:15 25:11 <b>come</b> 4:15 7:9 21:19 28:7 30:10 <b>coming</b> 6:18 20:7 25:5 <b>commending</b> 7:25 <b>comment</b> 6:8 <b>commitment</b> 30:13 <b>committee</b> 6:23 <b>communities</b> 25:2,3,6 <b>community</b> 24:8,24 <b>company</b> 12:7 <b>competent</b> 9:16 10:25 <b>comply</b> 13:2 <b>concern</b> 9:23 23:21	<b>concerned</b> 4:24 20:12 23:9 <b>conduct</b> 18:2,3,9,10 <b>Congress</b> 12:24 <b>Congressiona</b> <b>l</b> 6:15 27:9 <b>consequences</b> 9:7 <b>constitution</b> <b>al</b> 20:10 <b>contested</b> 13:24 <b>continuously</b> 5:15 <b>contract</b> 12:7 <b>control</b> 31:5 <b>cool</b> 8:1 <b>Corporations</b> 31:3 <b>correct</b> 16:12,20 18:21 25:13 <b>correctly</b> 17:24 <b>cosigned</b> 30:17 <b>counsel</b> 32:11 <b>count</b> 10:3 20:17 <b>counted</b> 10:7 20:14,24
--	---	---	---	--

countless 12:3	database 12:8,23 13:8	democratic 4:9	difficulty 22:10	2:24,25 11:13
country 4:22 14:5 19:14,20 20:6 27:8 31:4	Date 32:22	Democrats 8:6	digits 14:6	documented 12:5
county 5:18 17:15 21:18 32:3	Davis 15:20 19:8,9 22:19,20,23 23:1,5,12,25 24:3,11,18 25:9,12,18, 25 26:23 27:16 28:13	demonstrate 26:19	diligence 10:12	documents 16:17 29:6
couple 22:18	deal 4:20 28:5	denied 12:4	diminish 14:3	doesn't 6:10 23:14,15
covered 4:20	dealing 3:19	Denny 2:3,6,7 3:9, 10 8:1	disabled 29:5	doing 4:6,7 6:11 11:9 19:12 21:21 22:5,12
create 5:6 14:1 18:8 20:18 30:22	death 26:20	Denny's 18:12	discarded 10:3	dollars 5:16
created 22:9,10 27:7	decide 5:22	Department 9:14 17:15	discourage 6:11 16:12,16 27:24	down 7:9
creates 20:20 21:15 22:4	decisions 19:19	designed 12:2 24:21	discouraged 27:1	drive 29:13
creating 17:13,17 18:24 19:21 21:11,12,13, 25 28:1	decrease 10:11	deter 9:8	discouraging 27:20	driver's 5:2 13:1,4 14:7 29:7
creation 12:20	defraud 9:4	determine 6:17	discretion 10:20 11:17, 19	d u a l - administrati ve 18:8
crime 28:10	DeLay 6:14	determined 10:2	discretionar y 11:14	d u a l - election 18:24
Crimes 9:13	DELWIN 14:14 15:21 16:8,15,21 17:2	deterred 8:21	discussion 24:25 28:25	due 10:12 12:17
CSR 32:21	democracy 4:6,9 19:15 31:5	deviate 18:7	disenfranchi se 5:12	during 4:6 10:1 23:22
cuts 15:6		deviates 13:14	district 5:3 6:15 9:15	<hr/> E <hr/>
<hr/> D <hr/>		dialogue 16:10	Division 9:13 16:2	earlier 2:9 6:18
dad 24:4		different 17:14 20:8 23:21	docket 11:12	ears 16:9
Dallas 21:18		differently 25:2,3	document 8:19	easiest 9:4
		difficult 3:17 8:2 10:23 11:1,7 20:17 21:16	documentatio n	easy



6:1 9:9	enacted	25:22	25:7 27:12,14	Florida
effect	18:5	experts	Farm	11:22 12:8,
9:20 19:13,17	encourage	9:3 15:2,4	30:18	11,13,15 15:9
20:8 21:1,15	2:19,20 19:15	Expiration	farmer's	Flot-Davis
22:13 23:13,	21:14	32:22	16:9	32:5,21
16,17 24:24	encouraging	expired	favor	folks
27:19	19:16	15:13	16:3	22:3 27:21
effected	end	explain	Federal	following
10:17 23:18	8:14,17	17:11	12:24 13:6,	2:13
effects	endeavor	explaining	10,13,14,16,	force
10:16	9:6	7:22	18,19,20	29:5
either	enjoy	extend	17:19,20,25	forced
14:8	20:10	15:22,25 16:3	18:2,6,9,13,	5:15
elderly	enterprise	extended	20 19:1	foregoing
4:23 29:5	15:5	16:6	feel	32:7
elected	entire	extraordinar	22:7,8	Form
26:12	13:13 23:18	ily	fewer	4:18 14:6
election	entirely	11:1	19:19	27:25
2:19,22 3:14,	11:10	extraordinar	fiancee	forms
18 5:5 8:15,	err	y	7:16	2:10,23 3:16
24 9:1,2,4,5,	8:17	10:20	field	5:6
8,12,13,16,	errors	extremely	15:3	found
22,23 10:7,9,	12:17	10:10	fighting	12:3
14,18,21,23,	especially		26:21	four
25 11:22,23,	29:12	F	filed	14:6
24,25 12:9,	Ethics	face	6:21	fraud
11,17 13:15	6:8	10:24	financially	5:17 8:7,20
16:23 17:22	evidence	fact	32:14	9:5,8,17 12:1
18:9 31:5	8:20	4:15 11:24	find	19:24 20:1
elections	exactly	26:8,16 27:5,	2:20 9:9 12:1	fraudulent
5:9 7:19 8:7,	23:6	17	first	8:24 16:23
9 12:15 13:7	examples	fail	14:9 28:24	21:5,7 28:6,9
17:15,19,20	12:1,3	3:15 18:25	first-time	fraudulently
18:1,2,3,6,	execute	failed	14:23	9:11
10,13 21:6,7,	25:6 26:4	24:9	five	free
9,19 25:3	executes	fails	15:3	8:9
electoral	3:6	2:22	fix	freely
14:2	experience	fair	12:8,14 19:24	28:7
eliminating	12:6 25:5	8:8,16 21:9	floor	front
21:1	experienced	familiar	3:21 6:19,22	4:14 7:9
employed		23:22 24:12	15:19 30:10	fundamental
32:11				

19:14	13:3 17:18	handle	14,19 26:14,	impacts
furnish	20:17,21,22,	25:3	24 27:4,17	17:15
29:6	23,25 21:22	happen	29:14,15,16,	implemented
further	29:2	12:6	20,24 30:3	12:24
32:10,13	good	happens	hold	implication
<hr/> G	7:22 30:14	9:8,9	4:5 30:12	8:6
generally	Goodman	hard	home	implications
9:11	26:20	11:2	5:8 7:15	8:5
General's	goodwill	harder	hope	important
9:15	4:7	5:10 15:11	15:16 24:19,	5:25 6:1 21:8
generation	governed	HARRIS	22	30:15
11:3	18:5	32:3	hotly	impose
gentleman	government	hate	13:24	20:25 29:4
14:15 17:7,10	5:22 17:25	24:20	HOUSE	imposing
29:16,23	23:14 29:8	HB	1:4 3:13 4:24	20:2 22:1
gentleman's	governmental	2:2,3 21:12	19:13 22:9	improperly
15:13,25	20:3	22:2,13 29:4	hypocrisy	8:10
16:4,5	grandparents	hear	28:21 30:24	inaudible
getting	23:23	4:14	31:2	12:22 17:22
3:18 10:24	granted	heard	<hr/> I	18:24 24:23
11:3,5	11:20	15:24 17:16	ID	inclusion
give	great	22:23 23:1	2:10 3:16 5:7	8:18
14:18 23:20	6:12 8:1	30:8 32:8	11:14,15	increase
given	25:23	hearing	13:25 14:3,5,	9:21 10:8,9
20:11 26:3	greater	30:6	6 18:11	21:14
29:13	26:13	Help	ID'd	increasing
gives	guarantee	9:25 13:21,	14:5	10:4
10:20 20:4	8:13	23,25 18:4,14	idea	increasingly
go	guaranteed	22:3	23:4	11:6
2:20,21 5:8	27:21	hereby	identificati	individuals
11:2 14:10	gun	32:6	on	4:7 14:25
15:6 20:22	5:3	high	2:4 13:22	indulge
<hr/> H		9:6,7	29:11 30:22	7:23
goal	habit	hinder	identity	inequity
5:25 6:1	4:10,11	19:22	15:1 29:8	20:20
goals	hadn't	HODGE	IDs	influence
6:2	6:6,7 7:21	22:15,16,17,	21:23	31:4
goes	half	22 23:2,3,6,	Illinois	inform
28:21	14:18	8,19 24:1,5,	13:5,12 19:3	3:15
going	hampers	6,12,13,19	impact	inherently
2:11 3:12,20	22:4	25:7,10,13,	29:12	
7:23 12:10				

20:20	<b>just</b>	17:25 19:25	30:18	<b>looked</b>
<b>in-person</b>	4:13,23 5:5,9	27:1 30:23	<b>license</b>	11:25
14:24,25	6:12 19:11	<b>lawsuits</b>	5:2,3 13:1,4	<b>lost</b>
<b>Instead</b>	20:3 21:20	11:20	14:7	26:21
5:20 20:10	24:19,25	<b>laying</b>	<b>licenses</b>	<b>lot</b>
21:13	25:21 27:12,17	29:1	29:7	7:14 8:2
<b>integrity</b>	<b>Justice</b>	<b>lays</b>	<b>life</b>	12:9,14 23:9
7:19 8:23	9:14	2:1	7:18	<b>low</b>
<b>intended</b>	<hr/> <b>K</b> <hr/>	<b>leaders</b>	<b>lifetime</b>	9:6
12:12		6:16	23:22 24:7	<b>LULAK</b>
<b>intent</b>	<b>Kateri</b>	<b>learned</b>	<b>likely</b>	30:17
15:8	32:5,21	6:1,3,5	5:12	<hr/> <b>M</b> <hr/>
<b>interested</b>	<b>Keel</b>	<b>leave</b>	<b>lines</b>	<b>ma'am</b>
17:14 32:14	8:22	3:1,12,20	5:6	23:25 24:3,4,11 25:9
<b>intimidated</b>	<b>keeping</b>	<b>left</b>	<b>list</b>	<b>mail</b>
5:1	8:1	5:7	11:11 13:10,12	5:16 8:24 9:3
<b>intimidates</b>	<b>Kiel's</b>	<b>legislation</b>	<b>listen</b>	13:1,4,9
4:25	6:5	8:21 9:20	24:22	14:11
<b>intimidation</b>	<b>kind</b>	10:16 12:2	<b>lists</b>	<b>maintain</b>
27:25	9:17 20:8,25	27:19	13:16	13:7,16 17:18
<b>issue</b>	27:3,18	<b>legislative</b>	<b>Litmus</b>	27:9
20:23	<b>know</b>	22:5 28:22	24:8 26:17	<b>making</b>
<hr/> <b>J</b> <hr/>	2:23 7:14	<b>legislature</b>	<b>little</b>	5:25
<b>job</b>	8:3,18 15:8	5:13	12:6 17:12	<b>MALDAV</b>
6:12 7:22 8:1	17:25 20:18,19,24 21:8	<b>legitimate</b>	28:22	30:18
<b>JOE</b>	23:6 26:25	12:16 28:5	<b>live</b>	<b>mandate</b>
7:6	27:11 28:19	<b>less</b>	23:16	10:15
<b>Jones</b>	<b>knowingly</b>	5:12 16:22,23	<b>lives</b>	<b>matter</b>
14:12,14,17,19 15:17,18,21,25 16:8,15,19,21 17:2	2:22	<b>Let's</b>	26:21	23:15
	<hr/> <b>L</b> <hr/>	8:8 14:3 28:9	<b>load</b>	<b>mean</b>
<b>journal</b>	<b>lady</b>	<b>letter</b>	10:9	21:25 28:4
7:8	22:17,21	29:3 30:9,16,17	<b>local</b>	<b>means</b>
<b>judge</b>	<b>last</b>	<b>letters</b>	9:15 18:8	26:9 27:24
2:22 17:18	6:5,12,13,21	30:25	<b>locking</b>	<b>meant</b>
<b>judges</b>	7:15 14:6	<b>letting</b>	5:18	23:4,7
3:14 5:5	<b>law</b>	4:2	<b>long</b>	<b>meet</b>
<b>judgment</b>	13:2,6,20	<b>level</b>	4:17	11:7 13:17,18
11:14 27:23	18:17,20	11:17 15:4	<b>look</b>	17:21 18:11,25 19:1
	30:13	18:8	9:17	<b>meeting</b>
	<b>laws</b>	<b>Liberties</b>		

18:13	<b>motion</b>	11:10,17,19	20:5 27:22	<b>part</b>
<b>members</b>	15:25	<b>night</b>	<b>olds</b>	8:25 9:4
2:19 4:2 6:7,	<b>Motor</b>	7:15	20:5	13:24 16:18
10,20 7:14	12:25	<b>nobody</b>	<b>once</b>	<b>participate</b>
11:22 15:16,	<b>move</b>	5:3	4:19 20:11	16:22 20:3
24 16:2 19:6,	2:11 15:22	<b>notice</b>	<b>one's</b>	<b>participatin</b>
10 22:6 24:7	<b>moves</b>	11:1	26:13	<b>g</b>
26:12 28:15,	15:25	<b>number</b>	<b>opened</b>	26:7
19 29:12	<hr/> <b>N</b> <hr/>	9:21 10:4,8	28:25	<b>participatio</b>
<b>met</b>	<b>NAACP</b>	14:7,8	<b>opportunitie</b>	<b>n</b>
11:12,13	30:17	<hr/> <b>O</b> <hr/>	<b>s</b>	16:12 19:16,
<b>microscope</b>	<b>names</b>	<b>objection</b>	21:14	18 21:2,15,21
11:25	21:24	16:1	<b>oppose</b>	22:14 24:21
<b>mile</b>	<b>nation</b>	<b>objections</b>	15:16	26:10 27:1,
22:25 24:14,	30:23	30:20	<b>opposed</b>	20,25
17	<b>nature</b>	<b>obstacle</b>	16:4	<b>particular</b>
<b>millions</b>	19:23	29:9	<b>opposition</b>	20:23 27:21
5:16	<b>neater</b>	<b>obtain</b>	4:2	<b>particularly</b>
<b>minorities</b>	26:8	26:18	<b>order</b>	4:25
4:25 5:10	<b>necessary</b>	<b>occasion</b>	15:12,14	<b>parties</b>
<b>minority</b>	14:1	14:9	28:11	32:12
5:1 23:10	<b>necessitate</b>	<b>occurred</b>	<b>ought</b>	<b>pass</b>
<b>minute</b>	12:20	12:10	19:12,21 22:4	19:23
2:12 14:18	<b>necessitates</b>	<b>offended</b>	26:11,12	<b>passage</b>
<b>misdemeanor</b>	13:15	26:11	<b>outcome</b>	2:11 3:25
2:22	<b>need</b>	<b>offense</b>	9:12 32:14	30:6
<b>Mississippi</b>	5:15 17:24	8:4,6	<b>outs</b>	<b>passed</b>
13:6,11 19:3	<b>negatively</b>	<b>offensive</b>	2:1	6:24 18:4
<b>modern</b>	29:12	23:13	<b>over</b>	24:10 26:2
29:4	<b>negotiated</b>	<b>Office</b>	18:2 25:16	<b>passports</b>
<b>moment</b>	13:22	6:22 9:15,16	31:5	29:7
7:24 19:11	<b>neighborhood</b>	<b>official</b>	<b>overcome</b>	<b>pay</b>
<b>month</b>	23:16,17	29:6	26:16,17	23:23 24:4
8:23 27:12	<b>neither</b>	<b>officials</b>	<b>override</b>	<b>penalize</b>
<b>MORENO</b>	32:10	10:10	18:20	21:10 28:7,9
7:4,5,6	<b>never</b>	<b>Okay</b>	<hr/> <b>P</b> <hr/>	<b>penalty</b>
<b>most</b>	6:23 24:16	14:22	<b>packing</b>	2:21 3:13
4:4,10 6:2	25:22	<b>old</b>	4:11	<b>People</b>
8:25 10:23	<b>new</b>	4:14 13:11	<b>parade</b>	5:6,7,21 6:4,
11:23 13:23	10:13,20	<b>older</b>	4:8	11 11:3 12:3,
30:22				25 13:9,10,12

15:7 16:22	24:4 26:16	prevent	2:4 30:21	15:23 22:18
19:19,22	29:4	12:2 26:6	proper	29:21
20:22 21:17	polling	27:18	2:20,24 28:3	quickly
23:14 24:15	3:2	prevented	protecting	19:4
25:5 26:1,22	polls	22:7	5:24	<hr/> R <hr/>
27:8 30:19	3:3 5:4,11	primary	protest	race
31:1	10:21,25	13:17	26:19	4:20
people's	11:2,4,5	print	prove	raised
21:1	12:17 16:14,	5:16	20:9 28:5	15:13
percent	17	printing	provide	raising
10:6	post	5:17	5:2	30:20
period	21:20	priorities	providing	reach
10:18	potter's	5:13	2:21	20:11
person	5:2	PRO	provisional	read
11:15 28:2	power	30:19	3:6,19 9:22	2:2,14 29:2
personally	31:4	probably	10:1,4,6,12,	30:25
4:13 25:22	practical	5:3 8:4,25	17 20:13,15,	reading
persons	9:19 10:19	problem	16,21	2:2 28:25
2:11 4:14	12:19	4:21 8:18	PT	real
Photo	pray	10:19 12:11,	1:9	5:23 25:4
14:5	5:8	12,16,18,19	punishing	reality
place	precinct	problems	5:20	25:1
2:21 3:2 26:6	17:18	7:22 11:18	punitive	realize
placed	predict	12:10,14	19:23 21:3	9:5
7:8	11:18	procedurally	purchase	realized
plight	prepared	8:13	29:6	7:21
22:24 23:20	6:8	procedure	purpose	really
24:16 25:16,	prerequisite	8:15	7:5 15:17	4:10,21,23
21	29:8	procedures	17:5 22:16	19:12 23:4
pockets	present	8:16 13:12	29:15	28:20
11:18	2:4 30:21	proceeding	put	reason
point	presented	32:13	10:14 26:5,25	3:14 27:6
15:12,13	11:15	proceedings	<hr/> Q <hr/>	rebutting
17:12 28:11	presenting	32:8	question	6:6
points	11:16	process	5:23 14:13,15	recognizes
28:21	President	4:9 6:23 8:5,	17:7 20:16	2:5,16 3:8,24
political	27:11	24 9:1 14:2	21:10 22:11	7:2,11 19:7
8:5	presidents	15:7 16:18,24	29:17,19	28:16
poll	4:8	18:8,24 20:4	questioning	recording
3:18 4:18	pretty	21:2 31:5	8:2	32:9
10:21 11:7,	3:13 9:9	proof	questions	Redistrictin
10,18 23:23				

<b>g</b> 6:21	<b>Reporter</b> 32:6	18:12,14 28:1 29:11	19:14 23:11 27:7,13,18	<b>Senate</b> 30:7,10
<b>reduce</b> 7:7	<b>REPRESENTATI</b> <b>VE</b>	<b>requires</b> 2:10 14:23	<b>risk</b> 9:6	<b>senators</b> 30:5,9,12
<b>reflects</b> 32:8	2:7,18 3:10 4:1 7:6,12	<b>requiring</b> 2:4 5:1 11:10 30:21	<b>risks</b> 9:7	<b>senior</b> 21:22
<b>refused</b> 13:2	10:5 14:14, 17,20,22	<b>reread</b> 29:2	<b>roll</b> 12:21 17:17	<b>sentences</b> 29:3
<b>regard</b> 18:1	15:15,21 16:7,8,13, 15,19,21,25	<b>resolved</b> 4:21	<b>room</b> 24:15 25:15, 17	<b>separate</b> 20:18,19
<b>regarding</b> 18:1	17:2,3,6,9, 11,23 18:12, 15,17,19,21,	<b>respect</b> 25:23	<b>rules</b> 6:23 19:25 21:19	<b>session</b> 6:13,16,21 22:5
<b>register</b> 13:1,3 14:8, 24	23 19:2,5,6, 8,9 22:15,17, 20,22 23:1,2, 3,5,6,8,12, 19,25 24:1,3, 6,11,12,13, 18,19 25:7,9,	<b>respond</b> 15:23	<b>run</b> 21:7	<b>sets</b> 17:18
<b>registered</b> 13:9,11	10,12,13,14, 18,19,25	<b>restrictive</b> 30:23	<b>S</b>	<b>setting</b> 21:16
<b>registering</b> 29:9	26:14,23 27:4,16	<b>restricts</b> 23:10	<b>safeguard</b> 8:23	<b>settled</b> 13:24
<b>Registration</b> 4:18 5:14 12:8,21,22 13:8	28:13,14,18 29:14,16,19, 20,21,24 30:2,3,8	<b>result</b> 11:21	<b>saying</b> 20:9 22:23 30:9,20	<b>severe</b> 3:13
<b>regular</b> 20:14	<b>REPRESENTATI</b> <b>VES</b>	<b>retired</b> 29:5	<b>says</b> 13:20 29:4	<b>sex</b> 4:20
<b>rejecting</b> 16:17	1:4 <b>represents</b> 27:2	<b>return</b> 3:2,18	<b>scrutinized</b> 11:23	<b>share</b> 6:2
<b>related</b> 32:11	<b>Republicans</b> 8:3	<b>review</b> 10:13 11:11 19:12	<b>Second</b> 10:19 28:25	<b>shoes</b> 22:25 23:20 24:14,17
<b>relating</b> 2:3 30:21	<b>required</b> 12:25 13:6,16 18:16	<b>reward</b> 9:6	<b>secure</b> 8:7	<b>short</b> 10:1
<b>remarks</b> 7:7	<b>requirements</b> 11:8,13 13:18,23,25 14:4 15:10	<b>right</b> 4:5,8 5:7,24 6:18 8:13 12:4 20:10 21:4 22:4 24:1,9 25:6, 11,18,23 26:3,4,13, 18,21,25 27:10,22 28:8 29:13	<b>securing</b> 7:19	<b>Shorthand</b> 32:6
<b>remember</b> 24:4,7 26:20, 22,23		<b>rights</b>	<b>security</b> 9:3 14:2,7,23 15:2,3	<b>show</b> 7:7
<b>remind</b> 6:20 28:24			<b>see</b> 16:8	<b>shown</b> 6:25
<b>reminded</b> 30:16			<b>seen</b> 21:18 26:7	<b>shows</b> 28:2
			<b>selfish</b> 25:20	<b>side</b> 8:17 30:4,5

<b>signed</b> 30:9	<b>speaking</b> 7:10 29:25	7:3,11,12 14:17,20,22 15:15 16:7, 13,19,25 17:8,9,23 18:17,21 19:2,6	<b>Swina</b> 26:20	<b>Test</b> 24:8,10 26:17
<b>significant</b> 9:21,23 10:13 21:9	<b>special</b> 5:9 6:13,21		<b>system</b> 9:6 23:18	<b>TEXAS</b> 1:4 22:3 26:24 32:1,6, 21
<b>significantl</b>	<b>specific</b> 8:20		<b>T</b>	
<b>y</b> 12:21	<b>speech</b> 6:6	<b>Strama's</b> 7:10	<b>take</b> 6:10 8:4,6 19:11 24:8	<b>Thank</b> 2:7 3:10 4:2 7:12 15:15 17:2 19:5,6,9 28:12,13
<b>signs</b> 21:20	<b>spend</b> 5:16	<b>stricter</b> 17:21	<b>taken</b> 15:14 28:12 32:13	<b>themselves</b> 25:21
<b>simply</b> 2:19 17:12	<b>spent</b> 7:19 12:9	<b>submit</b> 21:12	<b>taking</b> 19:13	<b>theory</b> 28:4
<b>single</b> 11:24	<b>split</b> 12:21 13:7 17:17	<b>succession</b> 6:12	<b>talk</b> 8:12 20:12,13 24:13 28:22 30:24,25 31:2	<b>thing</b> 22:12 30:14, 15
<b>Social</b> 14:7	<b>spoken</b> 6:7	<b>suffrage</b> 25:8	<b>talked</b> 6:17 7:14,16	<b>things</b> 4:5 10:9 27:2
<b>sophisticate</b> d 11:6	<b>standard</b> 17:21 19:1	<b>suggest</b> 19:11 24:23 28:1	<b>talking</b> 31:1	<b>think</b> 4:4 5:21 8:16 16:15 17:23 19:24 21:3,5 22:2,6 24:15, 20,24 25:14, 19,20,25 26:15 27:4,13 28:19,20 30:1,15
<b>sort</b> 17:17	<b>standards</b> 11:12 13:15 17:14 18:5,7 20:2,8 21:1, 16,20	<b>support</b> 5:12 8:4 19:22	<b>tax</b> 4:18 23:24 24:4 26:16 29:5	<b>thinking</b> 7:16 20:22
<b>south</b> 26:21 27:6	<b>start</b> 7:25	<b>suppress</b> 19:18 21:11, 19,21 26:6,9	<b>tears</b> 26:2	<b>third</b> 2:1 12:19 17:12
<b>speak</b> 3:24 4:2 7:3	<b>started</b> 2:9	<b>suppressed</b> 27:1	<b>technologica</b> lly 11:6	<b>third-party</b> 31:1
<b>SPEAKER</b> 2:1,5,8,13, 16,18 3:8,11, 22 4:1 6:25 7:2,4,5,9,13 14:12,14,16, 19,21 15:12, 17,21,24 17:3,4,8,10 19:7,10 22:15,16,19, 21 28:11,16, 18 29:14,15, 18,23	<b>state</b> 5:19 8:19 9:17 12:7 13:17 17:21 18:3,10 19:19 20:5 22:3 30:19 32:1,6	<b>suppresses</b> 24:21	<b>technology</b> 15:3	<b>Thompson</b> 3:24 4:1
<b>speaker's</b> 15:22	<b>States</b> 9:14 12:25 13:2,5 22:1	<b>sure</b> 4:10 8:15	<b>tell</b> 9:19 15:4 19:2 22:2	<b>Thompson's</b> 7:7
	<b>statewide</b> 13:13	<b>surprised</b> 7:17	<b>telling</b> 26:14	<b>thorough</b>
	<b>Strama</b>	<b>suspended</b> 6:24	<b>ten</b> 27:9	
		<b>sweat</b> 26:2	<b>terms</b> 17:17	

10:12	27:3	4:12 28:2	20:5,9 21:4,	29:10 30:23
<b>thought</b>	<b>turn-out</b>	<b>v</b>	7,8,17 22:4,	<b>vulnerable</b>
4:19 5:24,25	8:19	<b>V</b>	8,10 23:11	8:25
7:17,19	<b>twice</b>	1:9	24:2,9 25:6,	<b>W</b>
<b>thousands</b>	8:11	<b>valuable</b>	11,24 26:12,	<b>wait</b>
29:12	<b>two</b>	4:4	13,18,22	4:13
<b>three</b>	2:10 5:6 8:22	<b>various</b>	27:10,22	<b>walk</b>
5:6	10:8,11 13:2,	16:17	28:7,8,15	22:24 24:14
<b>time</b>	5,16 17:13,18	<b>Veasey</b>	<b>voted</b>	<b>walked</b>
3:3 4:17	20:13 21:24	2:15,17,18	8:22 30:6	22:24 24:17
9:10,18 10:10	28:2 29:3,20,	<b>version</b>	<b>voter</b>	<b>walking</b>
11:2,5 12:9	21	29:4	2:4,10,23,24	23:20
14:8,19,20	<b>type</b>	<b>vetted</b>	3:1,5,6,15	<b>want</b>
15:1,13,22,	12:1	10:2	4:17 5:14	6:16,20 8:8
25 16:4,5	<b>U</b>	<b>video</b>	8:18 12:8,21,	21:6,18
23:17	<b>under</b>	32:9	22,25 13:7	28:22,24
<b>timeframes</b>	3:7 8:2 10:16	<b>VILLAREAL</b>	16:12 17:20	30:24 31:2
10:1	13:11 18:17	17:3	18:11,24	<b>Washington</b>
<b>today</b>	21:7 26:24	<b>Villarreal</b>	19:18,24,25	13:21
2:9	<b>understand</b>	17:4,6,11	21:14,21	<b>way</b>
<b>told</b>	16:9 17:24	18:15,19,23	22:14 24:21	9:11 18:25
10:5 24:9	22:24 24:16	19:5	27:20 28:3	21:20 25:22
<b>Tom</b>	25:15,21 26:2	<b>voice</b>	29:11 30:21	30:9,20 31:4
6:14	<b>understandin</b>	5:21	<b>voters</b>	<b>ways</b>
<b>tool</b>	<b>g</b>	<b>voluntarily</b>	2:20 5:1,10,	8:13
27:18	17:13 18:20	29:13	12,20,22 6:14	<b>wealthy</b>
<b>transcript</b>	24:20	<b>volunteer</b>	11:19 12:16	5:7
32:7	<b>Unfortunatel</b>	10:21	13:3,16,17	<b>week</b>
<b>true</b>	<b>y</b>	<b>volunteers</b>	14:24 16:14	6:5,12
30:12	15:18 23:6	10:25	18:25 20:3	<b>weight</b>
<b>try</b>	<b>unfunded</b>	<b>vote</b>	21:4,5,8	19:4
8:23 27:24	10:15	2:21 4:5,8	23:11 28:4,6,	<b>well-written</b>
<b>trying</b>	<b>Union</b>	5:15,25 6:1,	9 29:6	6:8
19:24 26:17	30:18	4,17 8:10	<b>votes</b>	<b>went</b>
<b>turn</b>	<b>United</b>	9:10,25 11:24	10:16,17	6:23 7:15
11:19 20:11	9:13 30:18	12:4,5 13:1,	16:23 20:22,	12:13,15
27:24	<b>unless</b>	10,11,13,19,	23 21:11 26:9	<b>we're</b>
<b>turned</b>	22:24	22,23 14:1,4,	<b>voting</b>	4:6 13:3
12:17 16:14	<b>utilities</b>	8,10,24,25	2:11 4:21	17:13 18:23
18:25	21:23,24	16:2,4,5	6:11,25 8:24	19:12,24
<b>turning</b>	<b>utility</b>	18:4,13,14	9:3 11:8 14:9	20:7,17,21
			16:18 17:17	
			24:16 26:24	
			27:7,13,17	



21:25 22:12	7:17	2:2,3 19:13,	16:5	
<b>we've</b>	<b>writing</b>	17 21:3,12	<u>8</u>	
11:23 12:14	7:7	22:2,13 27:2	<b>8462</b>	
20:11 21:18	<b>wrong</b>	29:4	32:21	
24:14 26:7	6:4 12:13,15	<b>18</b>		
30:4	<u>y</u>	20:11 27:22		
<b>whether</b>	<b>years</b>	<b>1870</b>		
4:6 10:2,3	15:3 27:9	31:3		
11:14	<b>yesterday</b>	<b>18-year</b>		
<b>white</b>	7:15,22 8:1	20:5		
5:7	10:6 15:10	<b>1920</b>		
<b>whole</b>	28:25	25:16,17		
11:17 28:4	<b>yield</b>	<b>1995</b>		
<b>widely</b>	14:15,16 16:7	12:24		
9:2	17:7,8 22:17,	<b>1996</b>		
<b>willing</b>	19 29:17,18,	19:4		
22:11	22	<b>19th</b>		
<b>wish</b>	<b>yields</b>	4:20		
20:3	15:18 17:10	<u>2</u>		
<b>withdrawn</b>	22:21 29:23	<b>2</b>		
3:23	<b>younger</b>	16:5		
<b>women</b>	11:3	<b>2000</b>		
25:8,10,17	<b>yourself</b>	11:22 12:9,10		
<b>won</b>	20:9	<b>2004</b>		
12:7	<b>YVONNE</b>	10:7		
<b>work</b>	19:9 22:20	<b>2005</b>		
7:18 10:9,21	23:1,5,12,25	1:6		
11:3 30:4	24:3,11,18	<b>21</b>		
<b>worked</b>	25:9,12,18,	10:6		
15:2,3	25 26:23	<b>21st-century</b>		
<b>workers</b>	27:16 28:13	11:8		
2:20 10:21	<u>1</u>	<b>26th</b>		
11:7,10,19	<b>11</b>	20:4		
16:16 30:19	30:5,9,12	<u>3</u>		
<b>working</b>	<b>12-31-13</b>	<b>3</b>		
5:10 16:16	32:22	1:6		
<b>worse</b>	<b>13th</b>	<b>300-mile</b>		
12:18	4:19	6:15		
<b>worthy</b>	<b>1704</b>	<u>5</u>		
6:17 20:9	4:24	<b>5</b>		
<b>Wow</b>	<b>1706</b>			

# HOUSE JOURNAL

---

---

SEVENTY-NINTH LEGISLATURE, REGULAR SESSION

---

---

## PROCEEDINGS

SIXTY-FIRST DAY — TUESDAY, MAY 3, 2005

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 459).

Present — Mr. Speaker; Allen, A.; Allen, R.; Alonzo; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenber; Leibowitz; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Absent, Excused — Griggs.

Absent — Anchia; Luna; Strama.

The invocation was offered by Dr. Fred Morgan, pastor, Hope Presbyterian Church, Austin, as follows:

Under your law we live, Holy God, and by your grace we govern ourselves. Your goodness is greater than all that is good. Your righteousness is more just beyond all that we deem to be fair. This day, we commend our state and nation to your merciful care. We are profoundly grateful to you that we live in a nation which protects the rights and liberties of her citizens.

Holy God, bless the officers and members of this legislative body, and grant them compassion in their reasoning, understanding in their attitudes, endurance in their deliberations, wisdom in their decisions, and a perspective on the future that is full of your hope. Be attentive to their personal needs as you are attentive to the needs of all people. Amen.

The speaker recognized Representative Krusee who led the house in the pledges of allegiance to the United States and Texas flags.

### **LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for today because of medical reasons:

Griggs on motion of Farabee.

### **REGULAR ORDER OF BUSINESS SUSPENDED**

On motion of Representative Denny and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

### **CAPITOL PHYSICIAN**

The speaker recognized Representative Herrero who presented Dr. Ricky Edwards of Corpus Christi as the "Doctor for the Day."

The house welcomed Dr. Edwards and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(Strama now present)

### **HR 1434 - ADOPTED (by Riddle)**

Representative Riddle moved to suspend all necessary rules to take up and consider at this time **HR 1434**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1434**, Honoring Melissa Miller on being named Miss San Antonio.

**HR 1434** was adopted.

On motion of Representative Ritter, the names of all the members of the house were added to **HR 1434** as signers thereof.

### **INTRODUCTION OF GUEST**

The speaker recognized Representative Riddle who introduced Melissa Miller.

### **HR 1451 - ADOPTED (by Gonzales and Peña)**

Representative Gonzales moved to suspend all necessary rules to take up and consider at this time **HR 1451**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1451**, Congratulating Judge Dori Contreras Garza on being named Mother of the Year 2005 by AVANCE-Rio Grande Valley.

**HR 1451** was adopted.

**HR 1456 - ADOPTED**  
**(by Gonzales and Peña)**

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 1456**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1456**, Honoring Ana Stephens for her receipt of the SPIRIT AWARD from St. Joseph Catholic School in Edinburg.

(Miller in the chair)

**HR 1456** was read and was adopted.

**MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

**BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 35).

**HR 1412 - ADOPTED**  
**(by Strama)**

Representative Strama moved to suspend all necessary rules to take up and consider at this time **HR 1412**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1412**, Honoring public employees during Public Service Recognition Week, May 2-8, 2005.

**HR 1412** was adopted.

**HR 1464 - ADOPTED**  
**(by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 1464**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1464**, Recognizing May 3, 2005, as Texas Environmental Excellence Awards Day at the Capitol.

**HR 1464** was adopted.

(Anchia now present)

**HR 1351 - ADOPTED**  
**(by Alonzo)**

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HR 1351**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1351**, Recognizing the Grand Prairie Cinco de Mayo Celebration.

**HR 1351** was adopted.

**HR 1352 - ADOPTED**  
**(by Alonzo)**

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HR 1352**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1352**, Commemorating Cinco de Mayo, 2005.

**HR 1352** was adopted.

**HR 1250 - ADOPTED**  
**(by Naishtat)**

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 1250**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1250**, Honoring David Wofford on his retirement from the State Board of Medical Examiners.

**HR 1250** was read and was adopted.

**HR 1292 - ADOPTED**  
**(by Dutton)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 1292**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1292**, Congratulating Dr. Doris M. Jackson of Houston on her receipt of the Elva K. Steward Alumni of the Year Award.

**HR 1292** was adopted.

**HR 1416 - ADOPTED**  
**(by Dutton)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 1416**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1416**, Honoring Arthur C. Lilly of Houston for his accomplishments as an educator and community leader.

**HR 1416** was adopted.

**HR 1417 - ADOPTED**  
**(by Dutton)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 1417**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1417**, Congratulating Houston Style Magazine on the occasion of its Thirty Under 30 party celebrating the magazine's 15th anniversary.

**HR 1417** was adopted.

**POSTPONED BUSINESS**

The following bills were laid before the house as postponed business:

**SB 1298 ON SECOND READING**  
**(Talton - House Sponsor)**

**SB 1298**, A bill to be entitled An Act relating to restrictions on the transfer of a fuel tank to a metal recycling entity.

**SB 1298** was considered in lieu of **HB 2456**.

**SB 1298** was read second time and was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 2456 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Talton moved to lay **HB 2456** on the table subject to call.

The motion prevailed.

**SB 461 ON SECOND READING**  
**(R. Allen - House Sponsor)**

**SB 461**, A bill to be entitled An Act relating to the confidentiality of and access to certain personal information in instruments recorded with a county clerk.

**SB 461** was considered in lieu of **HB 1368**.

**SB 461** was read second time and was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1368 - LAID ON THE TABLE SUBJECT TO CALL**

Representative R. Allen moved to lay **HB 1368** on the table subject to call.

The motion prevailed.

(Speaker in the chair)

**SB 376 ON SECOND READING**  
**(Zedler - House Sponsor)**

**SB 376**, A bill to be entitled An Act relating to a pilot program for language interpreter services under the medical assistance program.

**SB 376** was considered in lieu of **HB 1396**.

**SB 376** was read second time.

**Amendment No. 1**

Representative Zedler offered the following amendment to **SB 376**:

Amend **SB 376** (house committee printing) in SECTION 1 of the bill, in added Section 32.068(g), Human Resources Code (page 2, line 20), by striking "September 1, 2007" and substituting "September 1, 2009".

Amendment No. 1 was adopted.

**SB 376**, as amended, was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1396 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Zedler moved to lay **HB 1396** on the table subject to call.

The motion prevailed.

**CSSB 580 ON SECOND READING**  
**(Rose - House Sponsor)**

**CSSB 580**, A bill to be entitled An Act relating to the installment payment of ad valorem taxes by certain veterans.

**CSSB 580** was considered in lieu of **HB 587**.

**CSSB 580** was read second time and was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 587 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Rose moved to lay **HB 587** on the table subject to call.

The motion prevailed.

**CSHB 1900 ON SECOND READING**

**(by Bonnen)**

**CSHB 1900**, A bill to be entitled An Act relating to the assessment and regulation of emissions events.

**CSHB 1900** was read second time on April 25, postponed until April 27, postponed until May 2, and was again postponed until 10 a.m. today.

**Amendment No. 1**

Representative Bonnen offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (House committee printing) as follows:

- (1) On page 3, line 27, strike "(f),".
- (2) On page 5, strike lines 9-14.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Herrero offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (House committee printing) by adding the following appropriated numbered section to the bill and renumbering the subsequent sections accordingly:

SECTION \_\_. Section 5.753(b), Water Code, is amended to read as follows:

(b) The components of compliance history must include:

(1) enforcement orders, court judgments, consent decrees, and criminal convictions of this state and the federal government relating to compliance with applicable legal requirements under the jurisdiction of the commission or the United States Environmental Protection Agency;

(2) notwithstanding any other provision of this code, orders issued under Section 7.070;

(3) to the extent readily available to the commission, enforcement orders, court judgments, and criminal convictions relating to violations of environmental laws of other states; [and]

(4) changes in ownership; and

(5) performance under laws governing emissions, including upset events.

Representative Bonnen moved to table Amendment No. 2.

The motion to table prevailed.

**LEAVES OF ABSENCE GRANTED**

The following member was granted leave of absence temporarily for today because of important business:

Branch on motion of Kuempel.



The following member was granted leave of absence temporarily for today because of important business in the district:

Anderson on motion of Miller.

**CSHB 1900 - (consideration continued)**

**Amendment No. 3**

Representative Herrero offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (House committee printing) by adding the following appropriated numbered section to the bill and renumbering the subsequent sections accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 382, Health and Safety Code, is amended by adding Section 382.0161 to read as follows:

Sec. 382.0161. ADDITIONAL MONITORING REQUIREMENT. (a) Notwithstanding any other law, to the extent practicable the commission shall require the owner or operator of a facility that has the potential to experience a reportable upset event, as defined by commission rule, to install and operate a continuous measurement and monitoring system that documents the occurrence of upset events and accurately establishes the amount of each air contaminant released during an upset event. The commission shall require each facility to which this section applies that is in operation on January 1, 2006, to comply with this section as of that date.

(b) The measurement and monitoring system must measure flow parameters for each gas or other material that is released directly into the atmosphere or indirectly through a flare or other device.

(c) A responsible official of the owner or operator of a facility to which this section applies shall include the measurements under this section in a certification that states that the responsible official has conducted a reasonable inquiry and believes that each statement or measurement included in the certification is true, accurate, and complete.

(d) Beginning September 1, 2008, a responsible official of the owner or operator of a facility to which this section applies shall submit a certification described by Subsection (c) to the commission at least once every six months, and the owner or operator shall keep a copy of the certification at the facility for at least five years from the date that the owner or operator submits the certification to the commission.

Representative Bonnen moved to table Amendment No. 3.

(Luna now present)

A record vote was requested.

The motion to table prevailed by (Record 460): 93 Yeas, 51 Nays, 1 Present, not voting.

Yeas — Allen, R.; Baxter; Berman; Blake; Bohac; Bonnen; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Driver; Eissler; Elkins; Farabee; Flynn; Gattis; Geren; Goolsby; Grusendorf; Haggerty; Hamilton;

Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Luna; Madden; McCall; McReynolds; Merritt; Miller; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pitts; Reyna; Riddle; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Escobar; Farrar; Flores; Frost; Gallego; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Guillen; Herrero; Hochberg; Hodge; Jones, J.; Leibowitz; Martinez; Martinez Fischer; McClendon; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Puente; Quintanilla; Raymond; Rodriguez; Solis; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Branch; Griggs.

Absent — Oliveira; Pickett.

#### **Amendment No. 4**

Representative Herrero offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (House committee printing) as follows:

(1) Add the following appropriated numbered section to the bill and renumber the subsequent sections accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 382, Health and Safety Code, is amended by adding Section 382.0217 to read as follows:

Sec. 382.0217. IMPOSITION OF FEE DUE TO EMISSIONS EVENT. (a) "Emissions event" and "regulated entity" have the meanings assigned by Section 382.0215.

(b) Notwithstanding any other law, the commission may impose fees relating to an emissions event in the manner provided by this section.

(c) The commission shall impose on a regulated entity for each emissions event reported by the regulated entity under Section 382.0215 a fee in the amount of \$500 or an adjusted amount as provided by Subsection (d) or (e). A fee collected by the commission under this subsection may be appropriated only to the commission for use in awarding grants to local governments for community-based air pollution reduction projects that reflect community priorities. The fee is exempt from the application of Section 403.095, Government Code.

(d) If the commission determines that a regulated entity is ranked in the top 10 percent of all regulated entities in this state in terms of the regulated entity's emissions event history, the commission may reduce the amount of an emission fee that the commission is authorized to collect from the regulated entity under this chapter by not more than 50 percent.

(e) If the commission determines that a regulated entity is ranked in the bottom 20 percent of all regulated entities in this state in terms of the regulated entity's emissions event history, the commission shall increase the amount of each emission fee that the commission is authorized to collect from the regulated entity under this chapter by at least 20 percent and not more than 50 percent.

(2) On page 5, line 24, between "Act," and "apply", insert "and Section 382.0217, Health and Safety Code, as added by this Act,".

Representative Bonnen moved to table Amendment No. 4.

A record vote was requested.

The motion to table prevailed by (Record 461): 94 Yeas, 47 Nays, 1 Present, not voting.

Yeas — Allen, R.; Baxter; Berman; Blake; Bohac; Bonnen; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Dawson; Delisi; Denny; Driver; Eiland; Eissler; Elkins; Farabee; Flynn; Gattis; Geren; Goodman; Goolsby; Grusendorf; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Luna; Madden; McCall; McReynolds; Merritt; Miller; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pitts; Reyna; Riddle; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Escobar; Farrar; Frost; Gallego; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Herrero; Hochberg; Jones, J.; Leibowitz; Martinez; Martinez Fischer; McClendon; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Pickett; Puente; Quintanilla; Raymond; Rodriguez; Solis; Thompson; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Branch; Griggs.

Absent — Davis, J.; Flores; Hodge; Oliveira; Turner.

#### **Amendment No. 5**

Representative Hochberg offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (House committee printing) as follows:

(1) Strike page 3, line 27, and page 4, line 1, and substitute the following:  
SECTION 2. Section 382.0216, Health and Safety Code, is amended by amending Subsections (a), (b), (c), (f), and (i) and adding Subsection (b-1) to read as follows:

(2) On page 4, strike lines 5-18 and substitute the following:

(b) The commission shall establish criteria for determining when an emissions event or a series of emissions events are excessive. The criteria must include consideration of:

- (1) ~~[the frequency of the facility's emissions events;~~
- ~~[(2) the cause of the emissions event;~~
- ~~(3) the quantity and impact on human health or the environment of the emissions event; and~~
- ~~(2) [(4)] the duration of the emissions event [;~~
- ~~[(5) the percentage of a facility's total annual operating hours during which emissions events occur; and~~
- ~~[(6) the need for startup, shutdown, and maintenance activities].~~

(b-1) The commission may determine that an emissions event or a series of emissions events are not excessive based on a failure to meet criteria established by the commission under Subsection (b). If the commissioner determines that an emissions event or a series of emissions events are not excessive on that basis, the commission shall evaluate the emissions event or series of emissions events based on consideration of the following factors:

- (1) the frequency of the regulated entity's emissions events, taking into consideration the regulated entity's size and complexity;
- (2) the cause of the emissions event;
- (3) the quantity and the impact on human health or the environment of the emissions event;
- (4) the duration of the emissions event;
- (5) the percentage of a facility's total annual operating hours during which the emissions events occur;
- (6) the need for startup, shutdown, and maintenance activities; and
- (7) the impact of the emissions event on the state's compliance with the state implementation plan.

(3) On page 5, strike lines 9-14 and substitute the following:

(f) Consistent with the federal Clean Air Act, the commission by rule may establish an affirmative defense to a commission enforcement action if the emissions event is determined not to be excessive under this section. The commission may not authorize the use of the affirmative defense if the unauthorized emissions:

- (1) caused or contributed to:
  - (A) a condition in which national ambient air quality standards are exceeded;

(B) the prevention of significant deterioration increments; or

(C) a condition of air pollution; or

(2) were a part of a frequent or recurring pattern indicative of inadequate design, operation, or maintenance [The commission by rule may establish an affirmative defense to a commission enforcement action if the emissions event meets criteria defined by commission rule. In establishing rules under this subsection, the commission at a minimum must require consideration of the factors listed in Subsections (b)(1)-(6)].

Amendment No. 5 was adopted.

## Amendment No. 6

Representative Goodman offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (House committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 382, Health and Safety Code, is amended by adding Section 382.042 to read as follows:

Sec. 382.042. EFFECTS SCREENING LEVELS; PENALTY. (a) The commission by rule shall adopt effects screening levels for air contaminants. Each effects screening level must:

(1) be set in a manner that takes into consideration all acute and chronic health effects on a person due to exposure to an air contaminant;

(2) be based in part on the health effects of:

(A) the one-hour, eight-hour, or 24-hour exposure of a person to the air contaminant at the fence-line of an emission source; and

(B) the lifetime exposure of a person to the air contaminant at the fence-line of an emission source; and

(3) be set at a level that does not increase the risk of cancer in a person exposed to the air contaminant by greater than one chance in one million.

(b) A person may not cause, suffer, allow, or permit the emission of any air contaminant or the performance of any activity that causes an effects screening level set by the commission to be exceeded. The commission by rule shall establish requirements for assessing a penalty or initiating an action for an injunction against a person who violates this subsection.

(c) Not later than October 1, 2007, the commission shall adopt effects screening levels that comply with the requirements of Subsection (a). Until the commission adopts effects screening levels that comply with the requirements of Subsection (a), the effects screening levels adopted by the commission as of September 1, 2005, are interim standards for purposes of this section and Section 382.085. This subsection expires November 1, 2007.

SECTION \_\_\_\_\_. Section 382.042, Health and Safety Code, as added by this Act, applies to any violation of an effects screening level set by the commission that occurs on or after the effective date of this Act. A violation of an effects screening level that occurs before the effective date of this Act is governed by the law in effect when the violation occurs, and the former law is continued in effect for that purpose.

Representative Bonnen moved to table Amendment No. 6.

A record vote was requested.

The motion to table prevailed by (Record 462): 75 Yeas, 59 Nays, 2 Present, not voting.

Yeas — Allen, R.; Berman; Blake; Bohac; Bonnen; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chavez; Cook, B.; Corte; Crabb; Crownover; Dawson; Driver; Eissler; Elkins; Flynn; Gattis; Geren; Goolsby; Grusendorf; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar;

Hilderbran; Hill; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, T.; Kolkhorst; Krusee; Kuempel; Laubenberg; McCall; McReynolds; Merritt; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pitts; Reyna; Riddle; Ritter; Smith, W.; Smithe; Strama; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley.

Nays — Allen, A.; Alonzo; Bailey; Burnam; Castro; Coleman; Cook, R.; Davis, Y.; Delisi; Denny; Deshotel; Dukes; Dunnam; Dutton; Eiland; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Guillen; Herrero; Hochberg; Hodge; Homer; Jones, J.; King, P.; Laney; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McClendon; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Pickett; Raymond; Rodriguez; Rose; Smith, T.; Solis; Solomons; Thompson; Uresti; Veasey; Villarreal; Vo; Zedler.

Present, not voting — Mr. Speaker(C); Miller.

Absent, Excused — Anderson; Branch; Griggs.

Absent — Anchia; Baxter; Chisum; Davis, J.; Edwards; Morrison; Oliveira; Puente; Quintanilla; Seaman; Turner.

#### STATEMENTS OF VOTE

When Record No. 462 was taken, I was in the house but away from my desk. I would have voted no.

Anchia

When Record No. 462 was taken, I was in the house but away from my desk. I would have voted no.

Baxter

I was shown voting yes on Record No. 462. I intended to vote no.

McCall

When Record No. 462 was taken, I was in the house but away from my desk. I would have voted no.

Turner

#### Amendment No. 7

Representative J. Moreno offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** as by adding the appropriately numbered sections and re-numbering the subsequent sections accordingly:

SECTION\_\_ Section 382.085, Health and Safety Code, is amended by amending Subsection (a) to read as follows:

(a) ~~A~~ [Except as authorized by a commission rule or order, a] person may not cause, suffer, allow, or permit the emission of any air contaminant or the performance of any activity that causes or contributes to, or that will cause or contribute to, either in isolation or in conjunction with air contaminants from other sources, a condition of air pollution.

SECTION \_\_\_\_ Section 382.085, Health and Safety Code, as amended by this Act, applies only to a violation of Section 382.085, Health and Safety Code, that occurs on or after the effective date of this Act. A violation of Section 382.085, Health and Safety Code, that occurs before the effective date of this Act is governed by the law in effect when the violation occurred, and the current law is continued in effect for that purpose.

Representative Bonnen moved to table Amendment No. 7.

A record vote was requested.

The motion to table prevailed by (Record 463): 89 Yeas, 53 Nays, 1 Present, not voting.

Yeas — Allen, R.; Baxter; Berman; Blake; Bohac; Bonnen; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Driver; Eiland; Eissler; Elkins; Flynn; Gattis; Geren; Goodman; Goolsby; Grusendorf; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laubenberg; Madden; McCall; McReynolds; Miller; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pitts; Reyna; Riddle; Ritter; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Gonzales; Gonzalez Toureilles; Guillen; Herrero; Hochberg; Hodge; Jones, J.; Laney; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; Menendez; Merritt; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Pickett; Quintanilla; Raymond; Rodriguez; Rose; Solis; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Branch; Griggs.

Absent — Giddings; Oliveira; Puente; Seaman.

#### STATEMENT OF VOTE

When Record No. 463 was taken, I was in the house but away from my desk. I would have voted no.

Giddings

#### Amendment No. 8

Representative J. Moreno offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** as by adding the appropriately numbered sections and re-numbering the subsequent sections accordingly:

SECTION \_\_\_\_ Subchapter A, Chapter 382, Health and Safety Code, is amended by adding Section 382.042 to read as follows:

Sec. 382.042. EFFECTS SCREENING LEVELS; PENALTY.

(b) A person may not cause, suffer, allow, or permit the emission of any air contaminant or the performance of any activity that causes an effects screening level set by the commission under to be exceeded. The commission by rule shall establish requirements for the assessment of a penalty for a violation of this subsection.

SECTION \_\_\_\_ Not later than January 1, 2006, the Texas Commission on Environmental Quality shall adopt rules relating to penalties for the exceedence of an effect screening level as required by Section 382.042, Health and Safety Code, as added by this Act.

Representative Bonnen moved to table Amendment No. 8.

A record vote was requested.

The motion to table prevailed by (Record 464): 83 Yeas, 58 Nays, 1 Present, not voting.

Yeas — Allen, R.; Berman; Blake; Bohac; Bonnen; Brown, B.; Brown, F.; Callegari; Campbell; Chisum; Cook, B.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Driver; Eissler; Elkins; Flynn; Gattis; Geren; Goolsby; Grusendorf; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laubenberg; Madden; McCall; McReynolds; Merritt; Miller; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pitts; Reyna; Riddle; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Bailey; Baxter; Burnam; Castro; Chavez; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Guillen; Herrero; Hochberg; Hodge; Homer; Jones, J.; Laney; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Solis; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Branch; Griggs.

Absent — Anchia; Casteel; Oliveira; Pickett; Strama.

**STATEMENTS OF VOTE**

When Record No. 464 was taken, I was in the house but away from my desk. I would have voted no.

Anchia

When Record No. 464 was taken, I was in the house but away from my desk. I would have voted yes.

Casteel



When Record No. 464 was taken, I was in the house but away from my desk. I would have voted yes.

Strama

### **Amendment No. 9**

Representative Farrar offered the following amendment to **CSHB 1900**:

In **CSHB 1900**, add the appropriately numbered sections and re-number subsequent sections accordingly:

SECTION \_\_\_\_ Section 382.085, Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) If the commission brings an action for a violation of this section, it is a refutable presumption that the burden is on the owner or operator of the facility or source, through certification by a responsible official, to demonstrate to the commission that the facility or source:

(1) is in compliance with all technological requirements applicable to the facility or source;

(2) is in compliance with all monitoring requirements applicable to the facility or source; and

(3) is aware of no evidence that demonstrates that the facility or source has caused or contributed to air pollution in violation of this section.

SECTION \_\_\_\_ Section 382.085, Health and Safety Code, as amended by this Act, applies only to a violation of Section 382.085, Health and Safety Code, that occurs on or after the effective date of this Act. A violation of Section 382.085, Health and Safety Code, that occurs before the effective date of this Act is governed by the law in effect when the violation occurred, and the current law is continued in effect for that purpose.

Representative Bonnen moved to table Amendment No. 9.

A record vote was requested.

The motion to table prevailed by (Record 465): 86 Yeas, 57 Nays, 1 Present, not voting.

Yeas — Allen, R.; Baxter; Berman; Blake; Bohac; Bonnen; Brown, B.; Brown, F.; Callegari; Campbell; Chisum; Cook, B.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Driver; Eissler; Elkins; Farabee; Flynn; Gattis; Geren; Goodman; Goolsby; Grusendorf; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Hope; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Madden; McCall; Merritt; Miller; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pickett; Pitts; Reyna; Riddle; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Escobar; Farrar; Flores; Frost; Gallego; Giddings; Gonzales; Gonzalez

Tourelles; Guillen; Herrero; Hochberg; Hodge; Homer; Hopson; Jones, J.; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Solis; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Branch; Griggs.

Absent — Casteel; Morrison; Oliveira.

### STATEMENT OF VOTE

When Record No. 465 was taken, I was in the house but away from my desk. I would have voted yes.

Casteel

### Amendment No. 10

Representative Farrar offered the following amendment to **CSHB 1900**:

In **CSHB 1900**, on line 8 of page 2 make the following change:

(3) the actual emissions do not exceed the estimates submitted in the notice ~~by more than a reportable quantity.~~

Representative Bonnen moved to table Amendment No. 10.

A record vote was requested.

The motion to table prevailed by (Record 466): 82 Yeas, 52 Nays, 1 Present, not voting.

Yeas — Allen, R.; Baxter; Berman; Blake; Bohac; Bonnen; Brown, B.; Brown, F.; Callegari; Campbell; Chisum; Cook, B.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Driver; Eissler; Elkins; Gattis; Geren; Goolsby; Grusendorf; Haggerty; Hamilton; Hamric; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Homer; Hope; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; Keffer, J.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Madden; McCall; McReynolds; Merritt; Miller; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pickett; Pitts; Reyna; Riddle; Ritter; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Escobar; Farrar; Flores; Frost; Gallego; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Herrero; Hochberg; Hodge; Hopson; Jones, J.; King, T.; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Puente; Quintanilla; Raymond; Rodriguez; Rose; Solis; Thompson; Turner; Uresti; Veasey; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Branch; Griggs.

Absent — Casteel; Chavez; Eiland; Farabee; Flynn; Goodman; Hardcastle; Howard; Hughes; King, P.; Oliveira; Villarreal.

### STATEMENTS OF VOTE

When Record No. 466 was taken, I was in the house but away from my desk. I would have voted yes.

Casteel

When Record No. 466 was taken, I was temporarily out of the house chamber. I would have voted yes.

Farabee

When Record No. 466 was taken, I was in the house but away from my desk. I would have voted yes.

Flynn

### MESSAGES FROM THE SENATE

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 2 and 3).

#### CSHB 1900 - (consideration continued)

A record vote was requested.

**CSHB 1900**, as amended, was passed to engrossment by (Record 467): 125 Yeas, 11 Nays, 1 Present, not voting.

Yeas — Allen, R.; Alonzo; Anchia; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Hochberg; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Madden; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miller; Morrison; Mowery; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pitts; Puente; Raymond; Riddle; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Turner; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Dutton; Farrar; Goodman; Leibowitz; Moreno, J.; Moreno, P.; Naishtat; Olivo; Thompson; Uresti.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Branch; Griggs.

Absent — Davis, Y.; Dunnam; Herrero; Hodge; Luna; McClendon; Pickett; Quintanilla; Reyna; Rodriguez.

### STATEMENTS OF VOTE

When Record No. 467 was taken, my vote failed to register. I would have voted no.

Y. Davis

I was shown voting no on Record No. 467. I intended to vote yes.

Goodman

When Record No. 467 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 467 was taken, I was in the house but away from my desk. I would have voted no.

Hodge

When Record No. 467 was taken, I was in the house but away from my desk. I would have voted yes.

McClendon

When Record No. 467 was taken, I was in the house but away from my desk. I would have voted no.

Rodriguez

I was shown voting no on Record No. 467. I intended to vote yes.

Uresti

### GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

The following bills were laid before the house and read third time:

#### **HB 1706 ON THIRD READING** **(by Denny, Pitts, Woolley, Nixon, Bohac, et al.)**

**HB 1706**, A bill to be entitled An Act relating to requiring a voter to present proof of identification.

#### **Amendment No. 1**

Representative Leibowitz offered the following amendment to **HB 1706**:

Amend **HB 1706** (second reading engrossment) as follows:

(1) In the recital to amended Section 63.001, Election Code, strike "Subsection (g)" and substitute "Subsections (g) and (h)".

(2) In the section amending Section 63.001, Election Code, add a new Subsection (h) to read as follows:

(h) The requirements for identification prescribed by Subsection (b)(1) or (2) do not apply to a voter who:

(1) presents the voter's voter registration certificate on offering to vote;  
and

(2) is 85 years of age or older as indicated by the date of birth on the voter's voter registration certificate.

Representative Denny moved to table Amendment No. 1.

A record vote was requested.

The motion to table prevailed by (Record 468): 72 Yeas, 67 Nays, 1 Present, not voting.

Yeas — Allen, R.; Baxter; Berman; Blake; Bohac; Bonnen; Brown, B.; Brown, F.; Cook, B.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Driver; Eissler; Flynn; Gattis; Goodman; Grusendorf; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Hope; Howard; Hunter; Hupp; Isett; Jackson; Jones, D.; Keel; Keffer, B.; King, P.; Krusee; Kuempel; Laubenberg; Madden; McCall; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pitts; Reyna; Riddle; Ritter; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Campbell; Castro; Chavez; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Elkins; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Herrero; Hochberg; Hodge; Homer; Hopson; Hughes; Jones, J.; King, T.; Laney; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Olivo; Peña; Pickett; Puente; Quintanilla; Raymond; Rodriguez; Rose; Solis; Strama; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Branch; Griggs.

Absent — Callegari; Casteel; Chisum; Keffer, J.; Kolkhorst; Miller; Oliveira.

### STATEMENT OF VOTE

When Record No. 468 was taken, I was in the house but away from my desk. I would have voted yes.

Casteel

### Amendment No. 2

Representative Edwards offered the following amendment to **HB 1706**:

Amend **HB 1706** (second reading engrossment) on page 8, between lines 14 and 15 by inserting the following:

(c) The office of the voter registrar shall be open on a Saturday that falls within the five day period described by Subsection (a) for a voter to present identification as provided under this section.

Amendment No. 2 was adopted.

### Amendment No. 3

Representative Hochberg offered the following amendment to **HB 1706**:

Amend **HB 1706** (second reading engrossment) by striking added Section 65.0541, Election Code, and substituting the following:

Sec. 65.0541. PRESENTATION OF IDENTIFICATION FOR CERTAIN PROVISIONAL BALLOTS. (a) A voter who is accepted for provisional voting under Section 63.011 because the voter does not present proof of identification as required by Section 63.001(b)(1) or (2) may submit proof of identification to the voter registrar by personal delivery or by mail for examination by the early voting ballot board not later than the fifth day after the date of the election.

(b) The early voting ballot board shall accept a provisional ballot under Section 65.054 if the voter:

(1) presents proof of identification in the manner required by this section; and

(2) is otherwise eligible to vote in the election.

(c) The secretary of state shall prescribe procedures as necessary to implement this section.

Amendment No. 3 was adopted.

### HB 1706 - POINT OF ORDER

Representative Burnam raised a point of order against further consideration of **HB 1706** under Rule 6, Section 1(a); Rule 6, Section 15; and Rule 6, Section 17 of the House Rules on the grounds that the bill was placed out of order on the calendar.

### COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Juvenile Justice and Family Issues, upon lunch recess today, Desk 115, for a formal meeting, to consider pending business.

Local and Consent Calendars, upon lunch recess today, Desk 68, for a formal meeting, to consider placement of bills on the local and consent calendar.

Corrections, upon lunch recess today, Desk 50, for a formal meeting, to consider pending legislation.

Public Health, upon lunch recess today, Desk 39, for a formal meeting, to consider pending legislation.

Business and Industry, upon lunch recess today, Desk 103, for a formal meeting, to consider pending business.

Licensing and Administrative Procedures, upon lunch recess today, Desk 99, for a formal meeting, to consider **HB 1649** and **HB 2797**.

Pensions and Investments will reconvene upon lunch recess today, E2.010, for a public hearing, to consider pending business.

Local Government Ways and Means, upon lunch recess today, Desk 73, for a formal meeting, to consider pending business.

Civil Practices, upon lunch recess today, Desk 57, for a formal meeting, to consider committee business.

State Affairs, upon lunch recess today, Desk 9, for a formal meeting, to consider pending bills.

Defense Affairs and State-Federal Relations, upon lunch recess today, Desk 76, for a formal meeting, to consider pending legislation.

#### **FIVE DAY POSTING RULE SUSPENDED**

Representative J. Davis moved to suspend the five day posting rule and all necessary rules to allow the Committee on Criminal Jurisprudence to consider **HB 1425** at 2 p.m. or upon adjournment today in E2.016.

The motion prevailed.

#### **RECESS**

At 12:10 p.m., the speaker announced that the house would stand recessed until 1:30 p.m. today.

#### **AFTERNOON SESSION**

The house met at 1:30 p.m. and was called to order by the speaker.

#### **HB 1706 - (pending business)**

A point of order against further consideration of **HB 1706** was pending prior to lunch recess on the grounds that the bills were placed on today's calendar out of order.

The speaker sustained the point of order. **HB 1706** was placed on a revised calendar and was considered on third reading later today.

#### **RECESS**

Representative Woolley moved that the house recess until 3 p.m. today.

The motion prevailed.

The house accordingly, at 1:48 p.m., recessed until 3 p.m. today.

#### **AFTERNOON SESSION**

The house met at 3 p.m. and was called to order by the speaker.

#### **STATEMENT BY REPRESENTATIVE DUNNAM**

Regardless of who actually makes up the supplemental daily calendar, that person(s) can only do so under the authority of the Calendars Committee because of the plain language of the rule. At the time of the making up of the "revised" supplemental daily calendar, no one had jurisdiction over the bills because the speaker had not yet sustained the point of order.

Once a bill is placed on a calendar, the Calendars Committee has no more jurisdiction over that bill, because under Rule 6, Section 16, the Calendars Committee can not alter the bill's "relative position on the calendar".

Calendars only gains jurisdiction after the bill has been printed and then referred to it by the committee coordinator under Rule 6, Section 19. The only exception is under Rule 4, Section 41, when Calendars assumes immediate jurisdiction of bill where the committee substitute is found not germane.

When a point of order is sustained against a bill on third reading, it dies, because there is no committee for it to go. On second reading, the house is considering the committee report, and so a point of order sustained because of incorrect minutes returns the bill to the reporting committee.

Since the supplemental calendar was wrong, and the bill was not referred to the Calendars Committee in accordance with Rule 6, Section 19, before the making up of the "revised" supplemental calendar, Calendars had no jurisdiction over the bill and no one acting under the committee's authority may place it on another calendar.

**GENERAL STATE CALENDAR  
HOUSE BILLS  
THIRD READING**

The following bills were laid before the house and read third time:

**HB 3001 ON THIRD READING  
(by Morrison, et al.)**

**HB 3001**, A bill to be entitled An Act relating to the amount of the annual constitutional appropriation to certain agencies and institutions of higher education and to the allocation of those funds to those agencies and institutions.

Representative Morrison moved to postpone consideration of **HB 3001** until 10 a.m. May 5.

The motion prevailed.

**HB 283 ON THIRD READING  
(by Hope, Goolsby, and Raymond)**

**HB 283**, A bill to be entitled An Act relating to the transfer of public school students who are the victims of bullying.

(Krusee in the chair)

**Amendment No. 1**

Representative Hope offered the following amendment to **HB 283**:

Amend **HB 283** on third reading as follows:

(1) On page 2 between lines 14 and 15 insert the following new section appropriately numbered:

SECTION \_\_\_\_ . Subsection (a), Section 37.083, Education Code, is amended to read as follows:

(a) Each school district shall adopt and implement a discipline management program to be included in the district improvement plan under Section 11.252. The program must provide for prevention of and education concerning unwanted physical or verbal aggression, sexual harassment, and other forms of bullying in school, on school grounds, and in school vehicles.

(2) Renumber the bill accordingly.

Amendment No. 1 was adopted.

(Branch now present)



## Amendment No. 2

On behalf of Representative Isett, Representative Hope offered the following amendment to **HB 283**:

Amend **HB 283** on third reading by adding the following appropriately numbered sections to the bill and renumbering the subsequent sections accordingly:

SECTION \_\_\_\_ Section 37.001, Education Code, is amended by amending Subsection (a) and adding Subsections (b) and (b-1) to read as follows:

(a) The board of trustees of an independent school district shall, with the advice of its district-level committee established under Subchapter F, Chapter 11, adopt a student code of conduct for the district. The student code of conduct must be posted and prominently displayed at each school campus or made available for review at the office of the campus principal. In addition to establishing standards for student conduct, the student code of conduct must:

(1) specify the circumstances, in accordance with this subchapter, under which a student may be removed from a classroom, campus, or disciplinary alternative education program;

(2) specify conditions that authorize or require a principal or other appropriate administrator to transfer a student to a disciplinary alternative education program;

(3) outline conditions under which a student may be suspended as provided by Section 37.005 or expelled as provided by Section 37.007;

(4) specify whether consideration is given to self-defense as a factor in a decision to order suspension, removal to a disciplinary alternative education program, or expulsion;

(5) provide guidelines for setting the length of a term of:

(A) a removal under Section 37.006; and

(B) an expulsion under Section 37.007; ~~and~~

(6) address the notification of a student's parent or guardian of a violation of the student code of conduct committed by the student that results in suspension, removal to a disciplinary alternative education program, or expulsion;

(7) prohibit bullying, harassment, and making hit lists and ensure that district employees enforce those prohibitions; and

(8) provide, as appropriate for students at each grade level, methods, including options, for:

(A) managing students in the classroom and on school grounds;

(B) disciplining students; and

(C) preventing and intervening in student discipline problems, including bullying, harassment, and making hit lists.

(b) In this section:

(1) "Harassment" means threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical or emotional health or safety.

(2) "Hit list" means a list of people targeted to be harmed, using:

(A) a firearm, as defined by Section 46.01(3), Penal Code;

(B) a knife, as defined by Section 46.01(7), Penal Code; or

(C) any other object to be used with intent to cause bodily harm.

(b-1) The methods adopted under Subsection (a) (8) must provide that a student who is enrolled in a special education program under Subchapter A, Chapter 29, may not be disciplined for conduct prohibited in accordance with Subsection (a) (7) until an admission, review, and dismissal committee meeting has been held to review the conduct.

Amendment No. 2 was adopted.

A record vote was requested.

**HB 283**, as amended, was passed by (Record 469): 143 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzalez Toureilles; Goodman; Goolsby; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Nays — Swinford.

Present, not voting — Mr. Speaker; Krusee(C).

Absent, Excused — Anderson; Griggs.

Absent — Gonzales; Quintanilla.

#### MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 4).

**HB 1095 ON THIRD READING**  
**(by Menendez)**

**HB 1095**, A bill to be entitled An Act relating to the offense of harassment by persons in certain correctional facilities and to creating the offense of harassment of public servant.

**Amendment No. 1**

Representative R. Allen offered the following amendment to **HB 1095**:

Amend **HB 1095** (Second Reading Engrossment) on page 1, line 14, by striking "alarm, or annoy," and substituting "or alarm,".

Amendment No. 1 was adopted.

**HB 1095**, as amended, was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1426 ON THIRD READING**  
**(by Anderson)**

**HB 1426**, A bill to be entitled An Act relating to the confidentiality of certain information in a rabies vaccination certificate.

**HB 1426** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1172 ON THIRD READING**  
**(by F. Brown)**

**HB 1172**, A bill to be entitled An Act relating to the tuition charged to resident undergraduate students of institutions of higher education for excess credit hours and to related formula funding.

**HB 1172** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 2241 ON THIRD READING**  
**(by Callegari)**

**HB 2241**, A bill to be entitled An Act relating to the authority of certain municipalities to require a contract between a municipal utility district and the municipality before the district issues obligations.

### **HB 2241 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE STRAMA: As I mentioned to you, there is a lawsuit in my district by a community in my district, suing the city of Austin under Section 54.016(f), which would be repealed by this bill. Is it your intention that this bill would only be proactive and would have no effect on pending litigation under Section 54.016(f)?

REPRESENTATIVE CALLEGARI: That's correct.

### **REMARKS ORDERED PRINTED**

Representative Strama moved to print remarks between Representative Callegari and Representative Strama.

The motion prevailed.

**HB 2241** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Baxter, Gattis, Keel, Naishtat, Rodriguez, and Strama recorded voting no.)

### **HB 159 ON THIRD READING (by Talton)**

**HB 159**, A bill to be entitled An Act relating to expenditures of funds by a political subdivision to advertise a referendum.

**HB 159** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

### **HB 664 ON THIRD READING (by Isett)**

**HB 664**, A bill to be entitled An Act relating to consideration of a bidder's principal place of business in awarding certain municipal and school district contracts.

**HB 664** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

### **HB 1249 ON THIRD READING (by Reyna)**

**HB 1249**, A bill to be entitled An Act relating to criminal punishment for aggressive driving that results in the death of a person.

**HB 1249** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1048 ON THIRD READING**  
**(by Chisum)**

**HB 1048**, A bill to be entitled An Act relating to the forfeiture of contraband used or intended to be used in the commission of certain criminal offenses.

**HB 1048** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 2405 ON THIRD READING**  
**(by Keel and Hodge)**

**HB 2405**, A bill to be entitled An Act relating to prohibiting a person not entitled to receive an early voting ballot by mail from casting that ballot; providing a criminal penalty.

**HB 2405** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Herrero, Leibowitz, and Rose recorded voting no.)

**HB 1579 ON THIRD READING**  
**(by Kolkhorst, Eiland, Griggs, T. Smith, Berman, et al.)**

**HB 1579**, A bill to be entitled An Act relating to eligibility for benefits of and reports concerning certain retired members of the Teacher Retirement System of Texas; imposing a penalty.

**HB 1579** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 2623 ON THIRD READING**  
**(by Phillips and R. Cook)**

**HB 2623**, A bill to be entitled An Act relating to the distribution by the Texas Department of Transportation of certain assistance for the repair and maintenance of county roads.

A record vote was requested.

**HB 2623** was passed by (Record 470): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hill;

Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Krusee(C).

Absent, Excused — Anderson; Griggs.

Absent — Corte; Grusendorf; Hilderbran; Hughes; Quintanilla.

**HB 3115 ON THIRD READING**  
**(by Corte)**

**HB 3115**, A bill to be entitled An Act relating to certain homeland security activities, including the operation of the Critical Infrastructure Protection Council by the office of the governor.

**Amendment No. 1**

Representative Corte offered the following amendment to **HB 3115**:

Amend **HB 3115** on 3rd Reading in the SECTION of the bill that amends Section 421.026, Government Code, in Subdivision (5) of that section, by striking "421.021 (a)(3)" and substituting "421.021(a)".

Amendment No. 1 was adopted.

A record vote was requested.

**HB 3115**, as amended, was passed by (Record 471): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Goodman; Goolsby; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond;

Reyna; Riddle; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Krusee(C).

Absent, Excused — Anderson; Griggs.

Absent — Bailey; Gonzalez Toureilles; Hughes; Ritter.

**HB 3460 ON THIRD READING**  
**(by Baxter)**

**HB 3460**, A bill to be entitled An Act relating to the interest rate to be paid on the deposits made by customers of a water, electric, gas, or telephone utility.

Representative Baxter moved to postpone consideration of **HB 3460** until the end of today's calendar.

The motion prevailed.

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of important business:

Hughes on motion of Harper-Brown.

**HB 1235 ON THIRD READING**  
**(by Paxton)**

**HB 1235**, A bill to be entitled An Act relating to the notice required for a sale of real property under a contract lien.

**HB 1235** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1919 ON THIRD READING**  
**(by R. Allen)**

**HB 1919**, A bill to be entitled An Act relating to notice in certain real property transactions concerning public improvement districts.

**HB 1919** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 2135 ON THIRD READING**  
**(by Phillips, Hamric, Truitt, Homer, and Woolley)**

**HB 2135**, A bill to be entitled An Act relating to the creation of a tourist-oriented directional sign program.

A record vote was requested.

**HB 2135** was passed by (Record 472): 142 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Crownover; Krusee(C).

Absent, Excused — Anderson; Griggs; Hughes.

Absent — Dawson; Rodriguez.

### **HB 2966 ON THIRD READING** **(by Seaman)**

**HB 2966**, A bill to be entitled An Act relating to the criminal penalty for violating certain statutes enforceable by, or ordinances, rules, or regulations of, navigation districts or port authorities.

**HB 2966** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Speaker in the chair)

### **HB 1706 ON THIRD READING** **(by Denny, Pitts, Woolley, Nixon, Bohac, et al.)**

**HB 1706**, A bill to be entitled An Act relating to requiring a voter to present proof of identification.

**HB 1706** was read third time earlier today, amended, and a point of order against the calendar precluded further consideration of **HB 1706** until this time.

### **Amendment No. 4**

Representative Veasey offered the following amendment to **HB 1706**:



Amend **HB 1706** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 63, Election Code, is amended by adding Sections 63.014 and 63.015 to read as follows:

Sec. 63.014. PROVISION OF FALSE INFORMATION ABOUT IDENTIFICATION REQUIREMENTS. (a) A person, including an election officer, commits an offense if the person knowingly provides to another person false information relating to the requirements for presenting proof of identification under this chapter.

(b) An offense under this section is a Class A misdemeanor.

Sec. 63.015. FAILURE TO DISCLOSE COMPLETE INFORMATION ABOUT IDENTIFICATION REQUIREMENTS. (a) An election officer commits an offense if the officer knowingly fails to inform a voter who does not present the form of documentation requested by the election officer:

(1) that there are other acceptable forms of documentation;

(2) which other forms of documentation are acceptable;

(3) that the voter may leave the polling place and return to the polling place at any time before the polls close with the required documentation for casting a ballot; and

(4) that the voter may cast a provisional ballot if the voter executes an affidavit as provided by Section 63.011.

(b) An offense under this section is a Class A misdemeanor.

Amendment No. 4 was withdrawn.

A record vote was requested.

**HB 1706**, as amended, was passed by (Record 473): 78 Yeas, 67 nays, 1 Present, not voting.

Yeas — Allen, R.; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Cook, B.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Driver; Eissler; Flynn; Gattis; Goodman; Goolsby; Grusendorf; Haggerty; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Hilderbran; Hill; Hope; Howard; Hunter; Hupp; Isett; Jackson; Keel; Keffer, J.; King, P.; Kolkhorst; Krusee; Kuempel; Laubenberg; Madden; McCall; Merritt; Miller; Morrison; Mowery; Nixon; Orr; Otto; Paxton; Phillips; Pitts; Reyna; Riddle; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Allen, A.; Alonzo; Anchia; Bailey; Burnam; Castro; Chavez; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Elkins; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hamilton; Herrero; Hochberg; Hodge; Homer; Hopson; Jones, D.; Jones, J.; King, T.; Laney; Leibowitz; Luna; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Moreno, J.;

Moreno, P.; Naishtat; Noriega, M.; Oliveira; Olivo; Peña; Pickett; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Solis; Strama; Thompson; Turner; Uresti; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Griggs; Hughes.

Absent — Keffer, B.

### STATEMENT OF VOTE

When Record No. 473 was taken, my vote failed to register. I would have voted yes.

B. Keffer

### HB 1986 ON THIRD READING (by Solomons)

**HB 1986**, A bill to be entitled An Act relating to the administration and powers of a coordinated county transportation authority.

**HB 1986** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Herrero, Leibowitz, and Rose recorded voting no.)

### HB 2799 ON THIRD READING (by Talton)

**HB 2799**, A bill to be entitled An Act relating to the removal of vehicles and property from a roadway in a political subdivision and to the authority of a political subdivision to establish a traffic incident management program.

A record vote was requested.

**HB 2799** was passed by (Record 474): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith,

T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Griggs; Hughes.

Absent — Noriega, M.

**GENERAL STATE CALENDAR  
SENATE BILLS  
THIRD READING**

The following bills were laid before the house and read third time:

**SB 446 ON THIRD READING  
(Martinez - House Sponsor)**

**SB 446**, A bill to be entitled An Act relating to the reduction in value or expiration of a stored value card.

**SB 446** was passed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**SB 571 ON THIRD READING  
(Homer - House Sponsor)**

**SB 571**, A bill to be entitled An Act relating to the hours of sale and consumption of wine at a winery.

A record vote was requested.

**SB 571** was passed by (Record 475): 124 Yeas, 15 Nays, 1 Present, not voting.

Yeas — Allen, A.; Allen, R.; Alonzo; Anchia; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Brown, F.; Campbell; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Corte; Crownover; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Hunter; Hupp; Isett; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Leibowitz; Madden; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Olivo; Orr; Otto; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Solis; Solomons; Strama; Straus; Swinford; Taylor; Thompson; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Nays — Branch; Brown, B.; Callegari; Crabb; Dawson; Harper-Brown; Hartnett; Howard; Jackson; Laubenberg; Miller; Riddle; Smith, W.; Smithee; Talton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Griggs; Hughes.

Absent — Burnam; Flores; Luna; McClendon; Oliveira; Paxton; Truitt.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 475. I intended to vote no.

Bohac

I was shown voting yes on Record No. 475. I intended to vote no.

B. Keffer

I was shown voting no on Record No. 475. I intended to vote yes.

W. Smith

### GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

The following bills were laid before the house and read second time:

#### CSHB 3111 ON SECOND READING (by Corte)

**CSHB 3111**, A bill to be entitled An Act relating to authorizing the presiding officer of a political subdivision to order an evacuation in certain emergency circumstances.

#### LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of appropriations business:

F. Brown on motion of Oliveira.

#### CSHB 3111 - (consideration continued)

#### Amendment No. 1

Representative Corte offered the following amendment to **CSHB 3111**:

Amend **CSHB 3111** as follows:

(1) On page 1, line 7, strike "and (g)" and substitute ", (g), and (h)".

(2) On page 1, between lines 17 and 18, insert the following:

(h) For purposes of Subsections (f) and (g):

(1) the jurisdiction and authority of the county judge includes the incorporated and unincorporated areas of the county; and

(2) to the extent of a conflict between decisions of the county judge and the mayor, the decision of the county judge prevails.

Amendment No. 1 was adopted.

**CSHB 3111**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 3253 ON SECOND READING**  
**(by Ritter)**

**HB 3253**, A bill to be entitled An Act relating to the use of certain electronically readable information on a driver's license or identification certificate to comply with certain alcohol and tobacco related laws; providing a penalty.

Representative Ritter moved to postpone consideration of **HB 3253** until 10 a.m. May 10.

The motion prevailed.

**HB 2420 ON SECOND READING**  
**(by Chavez and Solis)**

**HB 2420**, A bill to be entitled An Act relating to the allocation of federal funds directed to be used to support graduate medical education in connection with the state Medicaid program.

Representative Chavez moved to postpone consideration of **HB 2420** until 10 a.m. May 6.

The motion prevailed.

**HB 1146 ON SECOND READING**  
**(by Chisum, Anderson, and Flynn)**

**HB 1146**, A bill to be entitled An Act relating to contingent payment clauses in certain construction contracts.

**HB 1146** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Berman and B. Brown recorded voting no.)

**CSHB 1208 ON SECOND READING**  
**(by Gattis)**

**CSHB 1208**, A bill to be entitled An Act relating to a limitation on the use of eminent domain by municipal utility districts.

**Amendment No. 1**

Representative Hamric offered the following amendment to **CSHB 1208**:

Amend **CSHB 1208** on page 1, between lines 15 and 16, by inserting the following SECTION and renumbering subsequent SECTIONS accordingly:

SECTION 2. Section 4.08, Chapter 1029, Acts of the 76th Legislature, Regular Session, 1999, is amended by adding Subsection (f) to read as follows:

(f) Section 54.209, Water Code, does not apply to the district.

Amendment No. 1 was adopted.

#### **Amendment No. 2**

Representative Hope offered the following amendment to **CSHB 1208**:

Amend **CSHB 1208** on page 1, between lines 15 and 16, by inserting the following SECTION and renumbering subsequent SECTIONS accordingly:

SECTION 2. Subchapter D, Chapter 65, Water Code, is amended by adding Section 65.202 to read as follows:

Sec. 65.202. LIMITATION ON USE OF EMINENT DOMAIN. A district may not exercise the power of eminent domain outside the district boundaries to acquire:

(1) a site for a water treatment plant, water storage facility, wastewater treatment plant, or wastewater disposal plant;

(2) a site for a park, swimming pool, or other recreational facility except a trail; or

(3) a site for a trail on real property designated as a homestead as defined by Section 41.002, Property Code.

Amendment No. 2 was adopted.

**CSHB 1208**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

#### **CSHB 1358 ON SECOND READING**

**(by Flores)**

**CSHB 1358**, A bill to be entitled An Act relating to the jurisdiction of the Texas Commission on Environmental Quality over certain water supply or sewer service corporations.

**CSHB 1358** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

#### **CSHB 905 ON SECOND READING**

**(by Delisi)**

**CSHB 905**, A bill to be entitled An Act relating to the powers and duties of the state auditor in connection with state contracts.

**CSHB 905** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1577 ON SECOND READING**  
**(by Nixon, Homer, Frost, and Farabee)**

**HB 1577**, A bill to be entitled An Act relating to the provision of health care services by a physician assistant during a disaster.

**HB 1577** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 1611 ON SECOND READING**  
**(by Chisum, Turner, R. Allen, Hochberg, and Edwards)**

**CSHB 1611**, A bill to be entitled An Act relating to the use of money for the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program.

**CSHB 1611** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of appropriations business:

Gattis on motion of Farabee.

**HB 1831 ON SECOND READING**  
**(by Talton)**

**HB 1831**, A bill to be entitled An Act relating to the definition of "convicted" for purposes of eligibility to carry a concealed handgun.

**HB 1831** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1867 ON SECOND READING**  
**(by Naishtat)**

**HB 1867**, A bill to be entitled An Act relating to the transfer of money appropriated to provide care for certain persons in nursing facilities to provide community-based services to those persons.

**HB 1867** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

### MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 5).

#### **CSHB 1476 ON SECOND READING** **(by Edwards, Van Arsdale, Crabb, and Riddle)**

**CSHB 1476**, A bill to be entitled An Act relating to regulation of certain sexually suggestive performances at public school events.

#### **Amendment No. 1**

Representative Talton offered the following amendment to **CSHB 1476**:

Amend **CSHB 1476** on page 1 by striking lines 13-18 and substituting the following:

(b) The commissioner may submit to a school district a written request that the district review performances by a performance group described by Subsection (a) to determine if the performances are overtly sexually suggestive.

(c) If the school district determines that a performance group described by Subsection (a) has performed in an overtly sexually suggestive manner, the district shall take appropriate action against the performance group and the group's sponsor, as determined by the district.

Amendment No. 1 was adopted.

#### **LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence for the remainder of today because of appropriations business:

Kolkhorst on motion of Solomons.

Turner on motion of Solomons.

The following member was granted leave of absence for the remainder of today because of important business:

Castro on motion of Chavez.

The following member was granted leave of absence for the remainder of today because of important business in the district:

Bailey on motion of Phillips.

#### **CSHB 1476 - (consideration continued)**

(Anderson now present)

A record vote was requested.

The vote of the house was taken on passage to engrossment of **CSHB 1476** and the vote was announced yeas 64, nays 64.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 476): 65 Yeas, 56 Nays, 4 Present, not voting.



Yeas — Allen, R.; Anderson; Baxter; Berman; Bohac; Branch; Brown, B.; Callegari; Campbell; Casteel; Chisum; Corte; Crabb; Crownover; Dawson; Delisi; Denny; Deshotel; Edwards; Eissler; Elkins; Gallego; Grusendorf; Guillen; Harper-Brown; Hartnett; Hegar; Hilderbran; Hochberg; Hopson; Howard; Isett; Jackson; Keel; Keffer, B.; Keffer, J.; King, P.; Kuempel; Laubenberg; Madden; Merritt; Miller; Morrison; Mowery; Nixon; Otto; Paxton; Peña; Phillips; Reyna; Riddle; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wong; Woolley; Zedler.

Nays — Alonzo; Anchia; Blake; Burnam; Chavez; Cook, B.; Cook, R.; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Eiland; Escobar; Farabee; Farrar; Flores; Frost; Geren; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Haggerty; Hamilton; Hamric; Hardcastle; Herrero; Hodge; Homer; Hope; Hupp; Jones, D.; Krusee; Laney; Leibowitz; Martinez Fischer; McCall; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega, M.; Oliveira; Olivo; Puente; Quintanilla; Ritter; Solis; Strama; Straus; Thompson; Uresti; Veasey; Vo.

Present, not voting — Mr. Speaker(C); Bonnen; Hunter; Orr.

Absent, Excused — Bailey; Brown, F.; Castro; Griggs; Hughes.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Allen, A.; Coleman; Dutton; Flynn; Giddings; Hill; Jones, J.; King, T.; Luna; Martinez; McClendon; Pickett; Pitts; Raymond; Rodriguez; Seaman; Villarreal.

The speaker stated that **CSHB 1476**, as amended, was passed to engrossment by the above vote.

#### STATEMENTS OF VOTE

When Record No. 476 was taken, I was in the house but away from my desk. I would have voted yes.

Flynn

I was shown voting no on Record No. 476. I intended to vote yes.

Goolsby

I was shown voting yes on Record No. 476. I intended to vote no.

Hopson

When Record No. 476 was taken, I was in the house but away from my desk. I would have voted yes.

Seaman

#### REASON FOR VOTE

I agree with the author's intent to address certain sexually suggestive performances at public school events. I hope local school districts will aggressively address this problem. However, I believe it should be addressed at the local level and not at the state level.

B. Cook

#### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for the remainder of today because of important business:

A. Allen on motion of Hodge.

Dutton on motion of Uresti.

The following members were granted leaves of absence for the remainder of today because of important business in the district:

Flynn on motion of Berman.

Martinez on motion of Solis.

McClendon on motion of Flores.

Villarreal on motion of Homer.

The following member was granted leave of absence for the remainder of today to attend a conference committee meeting on **SB 1**:

Pitts on motion of Solomons.

**HB 2017 ON SECOND READING**  
**(by Swinford)**

**HB 2017**, A bill to be entitled An Act relating to a nonsubstantive revision of statutes relating to the Texas Department of Insurance, the business of insurance, and certain related businesses, including conforming amendments, repeals, and penalties.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Wong, Representative Swinford offered the following committee amendment to **HB 2017**:

Amend **HB 2017** as follows:

(1) On page 346, strike lines 1-4 and substitute the following:

Sec. 462.255. CERTAIN CLAIMS SUBJECT TO LIEN OR SUBROGATION; LIMIT ON TOTAL RECOVERY

[Sections 462.256–462.300 reserved for expansion]

(2) On page 346, lines 13-14, strike "SATISFACTION OF OBLIGATION TO PAY COVERED CLAIMS;".

(3) On page 351, line 25, strike "462.305(d)" and substitute "462.305".

(4) On page 364, line 13, strike "462.302(b)" and substitute "462.302(d)".

(5) On page 378, strike lines 17-23 and substitute the following:

(c) Subject to Section 462.255, the maximum amount payable by the association is the damages incurred by the claimant, less the association's credit or offset under this section, except that the association's liability may not exceed the lesser of:

(1) \$300,000; or

(2) the limits of the insurance policy under which the claim is made. (V.T.I.C. Art. 21.28-C, Sec. 12(a) (part).)

(6) Strike page 379, line 17, through page 380, line 16, and substitute the following:

(e) Subject to Section 462.255, the maximum amount payable by the association is the amount of damages incurred by the claimant, less the credit or offset, except that the association's liability may not exceed \$300,000. (V.T.I.C. Art. 21.28-C, Sec. 12(b).)

Sec. 462.255. CERTAIN CLAIMS SUBJECT TO LIEN OR SUBROGATION; LIMIT ON TOTAL RECOVERY. (a) Notwithstanding Sections 462.252(c) and 462.254(e), if a claimant is seeking recovery of insurance policy benefits that, had the impaired insurer not been insolvent, would be subject to lien or subrogation by an other insurer, including a workers' compensation insurer or health insurer, regardless of whether the other insurer is impaired, the association's credit or offset is deducted from the lesser of the damages incurred by the claimant or the limits of the policy under which the claim is made.

(b) A claimant's recovery under this chapter may not result in a total recovery to the claimant that is greater than the recovery that would have resulted had the impaired insurer not been insolvent.

(c) Subject to Sections 462.201–462.203, 462.205–462.210, 462.213, 462.214, and 462.305 of this code and Title 5, Labor Code, a claim for workers' compensation benefits under this chapter may not result in a recovery to the claimant that is less than the recovery that would have resulted had the impaired insurer not been insolvent. (V.T.I.C. Art. 21.28-C, Secs. 12(a-1), (b-1).)

[Sections 462.256–462.300 reserved for expansion]

(7) On page 381, between lines 13 and 14, insert the following:

(b) The association satisfies the obligation to pay a covered claim by paying the claimant the full amount of a covered claim for benefits.

(c) The association's liability is limited to the payment of covered claims. The association is not liable for any other claim or damages against the insured, an impaired insurer, the association, the receiver, the special deputy receiver, the commissioner, or the liquidator, including a claim for:

(1) recovery of attorney's fees, prejudgment or postjudgment interest, or penalties;

(2) extracontractual damages, multiple damages, or exemplary damages; or

(3) any other amount sought in connection with the assertion or prosecution of a claim, without regard to whether the claim is a covered claim, by or on behalf of:

(A) an insured or claimant; or

(B) a provider of goods or services retained by an insured or claimant.

(8) On page 381, line 14, strike "(b)" and substitute "(d)".

(9) On page 381, strike line 17 and substitute the following:

(e) This section does not exclude the payment of workers' compensation benefits or other liabilities or penalties authorized by Title 5, Labor Code, arising from the association's processing and paying workers' compensation benefits after the designation of impairment. (V.T.I.C. Art. 21.28-C, Secs. 8(a), (c) (part).)

(10) Strike page 382, line 23, through page 383, line 25, and substitute the following:

Sec. 462.305. LIMITATION OF ASSOCIATION'S LIABILITY. The association is not liable to an insured or liability claimant for the association's failure to settle a liability claim within the limits of a covered claim under this chapter. A claim described by this section for failure to settle a liability claim is not a covered claim. (V.T.I.C. Art. 21.28-C, Sec. 5(8) (part).)

(11) On page 494, line 14, strike "complies with" and substitute "is filed in accordance with the requirements of".

(12) On page 494, line 15, between "applicable," and "that is", insert "that has not been disapproved by the commissioner, and".

(13) On page 597, line 7, between "STANDARD POLICY FORMS" and the semicolon, insert "AND UNIFORM POLICY".

(14) On page 597, line 18, between "STANDARD POLICY FORMS" and the semicolon, insert "AND UNIFORM POLICY".

(15) On page 643, line 21, strike "board" and substitute "company".

(16) On page 732, line 5, strike "Subchapter C," and substitute "Subchapters A and C,".

Amendment No. 1 was adopted.

## **Amendment No. 2**

Representative Swinford offered the following amendment to **HB 2017**:

Amend **HB 2017** as follows:

(1) On page 278, lines 6-7, strike "insurer organized or operating under Chapter 841," and substitute "insurer that is subject to any provision of a law specified in Section 841.002 or any provision of Chapter".

(2) On page 928, line 3, strike "determined to be".

(3) On page 934, strike lines 10-13 and substitute the following:

(b) From the date of the filing of the rate with the department to the effective date of the new rate, the insurer's previously filed rate that is in effect on the date of the filing remains in effect.

(4) On page 957, line 6, strike "other related forms" and substitute "related forms other than insurance policy forms and printed endorsement forms,".

Amendment No. 2 was adopted.

## **LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of important business:

Coleman on motion of Dunnam.

## **HB 2017 - (consideration continued)**

**HB 2017**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 2018 ON SECOND READING**  
**(by Swinford)**

**HB 2018**, A bill to be entitled An Act relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 78th Legislature to other Acts of that legislature.

**HB 2018** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today to attend a meeting of the conference committee on **SB 1**:

Luna on motion of Farabee.

The following member was granted leave of absence for the remainder of today because of appropriations business:

Branch on motion of Farabee.

**HB 2019 ON SECOND READING**  
**(by Swinford)**

**HB 2019**, A bill to be entitled An Act relating to the nonsubstantive revision of certain local laws concerning special districts, including conforming amendments.

**Amendment No. 1 (Committee Amendment No. 1)**

Representative Swinford offered the following committee amendment to **HB 2019**:

Amend **HB 2019** on page 162 by striking "[Sections 3818.109–3818.150 reserved for expansion]" and substituting:

Sec. 3818.109. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain. (Acts 70th Leg., R.S., Ch. 1026, Sec. 7(B) (part).)

[Sections 3818.110–3818.150 reserved for expansion]

Amendment No. 1 was adopted.

**HB 2019**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of important business in the district:

Rodriguez on motion of Naishtat.

**HB 2136 ON SECOND READING**  
**(by Phillips)**

**HB 2136**, A bill to be entitled An Act relating to certain penalties and fees imposed for operating a motor vehicle or vessel in violation of law.

**Amendment No. 1**

Representative Phillips offered the following amendment to **HB 2136**:

Amend **HB 2136**, on page 2, as follows:

- (1) On line 17, strike "\$1 [~~\$100~~]" and substitute "\$100".
- (2) On line 21, strike "this section [~~Subsection (a)~~]" and substitute "Subsection (a)".
- (3) On line 22, strike "\$1 [~~\$25~~]" and substitute "\$25".
- (4) Strike lines 23 and 24 and substitute "than \$250 [~~\$50~~]. An offense under Subsection (b) is a misdemeanor punishable by a fine of not less than \$100 or more than \$500 [~~\$200~~]."

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Phillips offered the following amendment to **HB 2136**:

Amend **HB 2136** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill as appropriate:

SECTION \_\_\_\_\_. Section 502.404, Transportation Code, is amended by adding Subsections (f) and (g) to read as follows:

(f) A justice of the peace or municipal court judge having jurisdiction of the offense may:

(1) dismiss a charge brought under Subsection (a) if the defendant remedies the defect before the defendant's first court appearance; and

(2) assess an administrative fee not to exceed \$25 when the charge is dismissed.

(g) A justice of the peace or municipal court judge having jurisdiction of the offense may:

(1) dismiss a charge brought under Subsection (b) if the defendant establishes that:

(A) the vehicle was issued a validation insignia for the license plates before the date of the offense; and

(B) the registration insignia was attached to the vehicle before the defendant's first court appearance; and

(2) assess an administrative fee not to exceed \$25 when the charge is dismissed.

SECTION \_\_\_\_\_. Section 502.409, Transportation Code, is amended by adding Subsection (g) to read as follows:

(g) A justice of the peace or municipal court judge having jurisdiction of the offense may:

(1) dismiss a charge brought under Subsection (a)(3), (5), (6), or (7) if the defendant remedies the defect before the defendant's first court appearance; and

(2) assess an administrative fee not to exceed \$25 when the charge is dismissed.

SECTION \_\_\_\_\_. Section 521.221, Transportation Code, is amended by adding Subsection (d) to read as follows:

(d) A justice of the peace or municipal court judge having jurisdiction of the offense may:

(1) dismiss a charge of driving in violation of a restriction under this section if:

(A) the restriction was imposed:

(i) because of a physical condition and that condition was surgically or otherwise medically corrected before the date of the alleged offense; or

(ii) in error and that fact is established by the defendant; and

(B) the restriction is removed before the defendant's first court appearance; and

(2) assess an administrative fee not to exceed \$25 when the charge is dismissed.

SECTION \_\_\_\_\_. Section 547.004, Transportation Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) A justice of the peace or municipal court judge having jurisdiction of the offense may:

(1) dismiss a charge of an equipment violation brought under this chapter if the defendant remedies the defect before the defendant's first court appearance; and

(2) assess an administrative fee not to exceed \$25 when the charge is dismissed.

(d) Subsection (c) does not apply to offenses involving a commercial motor vehicle.

Amendment No. 2 was adopted.

A record vote was requested.

**HB 2136**, as amended, failed to pass to engrossment by (Record 477): 5 Yeas, 118 Nays, 3 Present, not voting.

Yeas — Campbell; Driver; Hamric; Jackson; Phillips.

Nays — Allen, R.; Alonzo; Anchia; Anderson; Baxter; Berman; Blake; Bohac; Bonnen; Brown, B.; Burnam; Callegari; Casteel; Chavez; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Dukes; Dunnam; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Grusendorf; Guillen; Haggerty; Hamilton; Hardcastle; Harper-Brown; Hegar; Herrero; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.;

King, T.; Kuempel; Laney; Laubenberg; Leibowitz; Madden; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Olivo; Orr; Otto; Paxton; Peña; Pickett; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rose; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Uresti; Van Arsdale; Veasey; Vo; West; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C); Hartnett; Hilderbran.

Absent, Excused — Allen, A.; Bailey; Branch; Brown, F.; Castro; Coleman; Dutton; Flynn; Griggs; Hughes; Martinez; McClendon; Rodriguez; Villarreal.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Luna; Pitts; Turner.

Absent — Edwards; King, P.; Krusee; Morrison; Seaman.

### LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business:

Pickett on motion of Solomons.

### CSHB 2767 ON SECOND READING (by Talton)

**CSHB 2767**, A bill to be entitled An Act relating to the release of a criminal defendant in certain cases and the eligibility of certain individuals to act as sureties on bail bonds.

#### Amendment No. 1

Representative Talton offered the following amendment to **CSHB 2767**:

Amend **CSHB 2767** (House Committee Printing) by inserting the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION \_\_. Article 22.03, Code of Criminal Procedure, is amended to read as follows:

Art. 22.03. CITATION TO SURETIES. (a) Upon entry of judgment, a citation shall issue forthwith notifying the sureties of the defendant, if any, that the bond has been forfeited, and requiring them to appear and show cause why the judgment of forfeiture should not be made final.

(b) A citation to a surety who is an individual shall be served to the individual at the address shown on the face of the bond.

(c) A citation to a surety that is a corporation or other entity shall be served to the attorney designated for service of process by the corporation or entity under Chapter 804, Insurance Code.

(d) By filing the waiver or designation in writing with the clerk of the court, a surety may waive service of citation or may designate a person other than the surety or the surety's attorney to receive service of citation under this article. The waiver or designation is effective until a written revocation is filed with the clerk.



SECTION \_\_. Article 22.04, Code of Criminal Procedure, is amended to read as follows:

Art. 22.04. REQUISITES OF CITATION. A citation shall be sufficient if it be in the form provided for citations in civil cases in such court; provided, however, that a copy of the judgment of forfeiture entered by the court, a copy of the forfeited bond, and a copy of any power of attorney attached to the forfeited bond shall be attached to the citation and the citation shall notify the parties cited to appear and show cause why the judgment of forfeiture should not be made final.

SECTION \_\_. Article 22.05, Code of Criminal Procedure, is amended to read as follows:

Art. 22.05. CITATION AS IN CIVIL ACTIONS. If service of citation is not waived under Article 22.03, a surety is ~~[Sureties shall be]~~ entitled to notice by service of citation, the length of time and in the manner required in civil actions; and the officer executing the citation shall return the same as in civil actions. It shall not be necessary to give notice to the defendant unless he has furnished his address on the bond, in which event notice to the defendant shall be deposited in the United States mail directed to the defendant at the address shown on the bond.

SECTION \_\_. The changes in law made by this Act in amending Articles 22.03, 22.04, and 22.05, Code of Criminal Procedure, apply only to a citation of forfeiture issued on or after the effective date of this Act. A citation of forfeiture issued before the effective date of this Act is governed by the law in effect on the date the citation of forfeiture is issued, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

## **Amendment No. 2**

Representative Alonzo offered the following amendment to **CSHB 2767**:

Amend **CSHB 2767** (House committee printing) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS accordingly:

SECTION \_\_. On a Class C misdemeanor attorney bond the signature of the defendant is not required.

Amendment No. 2 was adopted.

**CSHB 2767**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

## **CSHB 2902 ON SECOND READING (by Hilderbran)**

**CSHB 2902**, A bill to be entitled An Act relating to the maintenance and repair of courthouses that have benefited from the historic courthouse preservation program.

### Amendment No. 1

Representative Phillips offered the following amendment to **CSHB 2902**:

Amend **CSHB 2902** on page 2, between lines 7 and 8, by inserting the following appropriately numbered sections and renumbering the subsequent sections of the bill accordingly:

SECTION \_\_. Chapter 441, Government Code, is amended by adding Subchapter O to read as follows:

#### SUBCHAPTER O. TEXAS HISTORICAL GOVERNMENT RECORDS PRESERVATION

Sec. 441.261. DEFINITION; HISTORICAL GOVERNMENT RECORDS.

(a) In this subchapter, "commission" means the Texas State Library and Archives Commission.

(b) For purposes of this subchapter, historical government records include:

(1) any local government record with a retention period established as permanent or for which a review for possible historical value is required in a local government records retention schedule issued under Section 441.158; and

(2) any state record identified as an archival state record or subject to review as a potential archival state record by the state archivist under Section 441.186.

Sec. 441.262. TEXAS HISTORICAL GOVERNMENT RECORDS  
PRESERVATION GRANTS. (a) The commission may establish a program of state grants to counties, municipalities, other local governmental entities, and state governmental entities to preserve the historically valuable records of the governments of this state.

(b) The commission may award the grants to enable grant recipients to:

(1) preserve, repair, restore, manage, and provide public access to historical government records in the custody of the recipient; and

(2) establish or enhance efficient records management programs to ensure that current records of historical value or potential historical value in the custody of the recipient are identified, managed, and preserved.

(c) The commission may adopt any necessary rules for the administration of the grant program, including rules relating to eligibility for and the terms of grants awarded under this section.

(d) The commission shall approve any award of grants made under this section in open meetings in accordance with Chapter 551.

(e) The commission shall determine the amount to be used for the award of grants under this section, subject to appropriations.

Sec. 441.263. STATE ARCHIVES. (a) The commission may preserve, repair, restore, manage, and provide access to the historical government records in the custody of the commission, including records in any regional historical resource depository established by agreement under Section 441.153 or in any regional research center established and operated by the commission under Section 441.154.

(b) The commission may determine the amount to be used for activities under this section, subject to appropriations.

Sec. 441.264. EMERGENCY DISASTER RECOVERY GRANTS. (a) The commission may make emergency grants to local governments to assist them in the recovery of records damaged by fire, flood, or other natural or man-made disaster.

(b) The commission may adopt any necessary rules for the administration of emergency disaster recovery grants, including rules relating to eligibility for and the terms and conditions of an emergency grant.

(c) The commission may determine the amount to be used for emergency disaster recovery grants under this section, subject to appropriations.

Sec. 441.265. OTHER RELATED USES. (a) The commission may, subject to appropriations:

(1) provide training in archival and records management principles and practices to local government officials;

(2) provide advanced training in the preservation of electronic records of historical value;

(3) provide funding for other projects determined by the commission to be of benefit in the preservation of historical government records; and

(4) pay for personnel and administrative expenses incurred by the commission associated with grants, programs, and other activities under this subchapter.

(b) The commission may determine the amount to be used for programs and activities under this section, subject to appropriations.

Sec. 441.266. ADVISORY COMMITTEES. The local government records committee established under Section 441.161, and the Texas Historical Records Advisory Board established under Section 441.242, shall advise the commission in its adoption of rules under Sections 441.262 and 441.264.

SECTION \_\_. Section 441.157, Government Code, is repealed.

Amendment No. 1 was adopted.

**CSHB 2902**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

### **HB 3386 ON SECOND READING** **(by Talton)**

**HB 3386**, A bill to be entitled An Act relating to the possession or shooting of a handgun on the land of the Lower Colorado River Authority by a person licensed to carry a concealed handgun.

**HB 3386** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

### **CSHB 120 ON SECOND READING**

(by Dawson, Edwards, J. Davis, Anderson, Coleman, et al.)

**CSHB 120**, A bill to be entitled An Act relating to the creation of a donor education, awareness, and registry program, the establishment of an organ donor and tissue council, and anatomical gift donation.

**CSHB 120** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

### **POSTPONED BUSINESS**

The following bills were laid before the house as postponed business:

#### **HB 3460 ON THIRD READING**

(by Baxter)

**HB 3460**, A bill to be entitled An Act relating to the interest rate to be paid on the deposits made by customers of a water, electric, gas, or telephone utility.

**HB 3460** was read third time earlier today and was postponed until this time.

Representative Baxter moved to postpone consideration of **HB 3460** until 10 a.m. May 6.

The motion prevailed.

### **HB 762 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

Representative Nixon called up with senate amendments for consideration at this time,

**HB 762**, A bill to be entitled An Act relating to the solicitation by state officers and employees of and recommendations regarding contributions to charitable organizations and governmental entities.

Representative Nixon moved to concur in the senate amendments to **HB 762**.

The motion to concur in senate amendments prevailed. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: D. Jones recorded voting no.)

#### **Senate Amendment No. 1 (Senate Floor Amendment No. 1)**

Amend **HB 762** (Senate committee printing) as follows:

- (1) On page one line 16 strike "A" and replace with "a".
- (2) On page one line 16 between "(a)" and "a" add the following language: "Unless otherwise prohibited by the Code of Judicial Conduct,"

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Hartnett requested permission for the Committee on Judiciary to meet while the house is in session, during bill referral today, in 3W.9, for a formal meeting, to consider pending business.

Permission to meet was granted.

### **FIVE DAY POSTING RULE SUSPENDED**

Representative Delisi moved to suspend the five day posting rule to allow the Committee on Public Health to consider **HB 734** and **HB 3276** at the previously posted hearing on Wednesday, May 4.

The motion prevailed.

Representative Puente moved to suspend the five day posting rule to allow the Committee on Natural Resources to consider **HB 3578**, **HB 3579**, **HB 3580**, **HB 3582**, **HB 3583**, **HB 3584**, and **HB 3586** at 2 p.m. or upon final adjournment tomorrow in E1.026.

The motion prevailed.

Representative Hilderbran moved to suspend the five day posting rule to allow the Committee on Culture, Recreation, and Tourism to consider **HB 3572** upon adjournment today in E2.014.

The motion prevailed.

Representative Morrison moved to suspend the five day posting rule to allow the Committee on Higher Education to consider pending bills with invited testimony.

The motion prevailed.

### **PROVIDING FOR A CONGRATULATORY AND MEMORIAL CALENDAR**

Representative Edwards moved to set a congratulatory and memorial calendar for 9 a.m. Friday, May 6.

The motion prevailed.

### **COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Judiciary, during bill referral today, 3W.9, for a formal meeting, to consider pending business.

Insurance, upon final adjournment today, Desk 24, for a formal meeting.

Transportation, upon final adjournment today, Desk 46, for a formal meeting, to consider pending business.

Human Services, upon final adjournment today, Desk 31, for a formal meeting, to consider pending business.

Licensing and Administrative Procedures, upon final adjournment today, Desk 99, for a formal meeting, to consider **HB 1085** and pending business.

Higher Education, 8 a.m. tomorrow, JHR 120, for a public hearing, to consider pending business with invited testimony.

## **PROVIDING FOR ADJOURNMENT**

Representative Harper-Brown moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

## **BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES CORRECTIONS IN REFERRAL**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Uresti in the chair)

## **ADJOURNMENT**

In accordance with a previous motion, the house, at 7:13 p.m., adjourned until 10 a.m. tomorrow.

---

## **ADDENDUM**

---

### **REFERRED TO COMMITTEES**

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

#### **List No. 1**

**HB 3587** (By Seaman), Relating to the creation of the La Salle Water Control and Improvement District No. 1; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Natural Resources.

**HB 3588** (By P. King), Relating to the creation of the City of Fort Worth Municipal Utility Districts Nos. 3, 4, 5, and 6 of Denton and Wise Counties; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

To Natural Resources.

**HR 8** (By Hodge, J. Jones, Giddings, and Y. Davis), In memory of Tillie Mae Parker Baylor of Dallas.

To Rules and Resolutions.

**HR 10** (By Dutton), Recognizing the Houston Minority Business Council's EXPO 2005 to be held on September 15, 2005.

To Rules and Resolutions.

**HR 1300** (By Giddings), Memorializing Congress to enact legislation relating to the assessment of penalties by a financial institution for an insufficient funds check.

To Business and Industry.

**HR 1346** (By Laubenberg), Recognizing May 3, 2005, as Texas Heart Healthy Day at the State Capitol.

To Public Health.

**HR 1410** (By Burnam), Recognizing Will Harrell on his fifth anniversary as executive director of the American Civil Liberties Union of Texas.

To Rules and Resolutions.

**HR 1429** (By Morrison), Honoring Henry Samuel and Fay Maurine Jacob of Goliad County on the occasion of their 70th wedding anniversary.

To Rules and Resolutions.

**HR 1430** (By Wong), In memory of Elnora Mayeux Callegari of Cottonport, Louisiana.

To Rules and Resolutions.

**HR 1431** (By Dunnam), Opposing any proposal to close the Waco Veterans Affairs Hospital.

To Defense Affairs and State-Federal Relations.

**HR 1432** (By Menendez), Recognizing September 2005 as Tejano Heritage Month in Texas.

To Rules and Resolutions.

**HR 1433** (By Menendez), In memory of Sarah F. Beers of San Antonio.

To Rules and Resolutions.

**SB 3** to Natural Resources.

**SB 31** to Higher Education.

**SB 121** to State Affairs.

**SB 179** to Pensions and Investments.

**SB 190** to Public Education.

**SB 305** to Licensing and Administrative Procedures.

**SB 674** to Business and Industry.

**SB 728** to Transportation.

**SB 990** to Human Services.

**SB 1050** to Urban Affairs.

**SB 1102** to Agriculture and Livestock.

**SB 1302** to County Affairs.

**SB 1311** to Culture, Recreation, and Tourism.

**SB 1410** to Judiciary.

**SB 1481** to Defense Affairs and State-Federal Relations.

**SB 1498** to Land and Resource Management.

**SB 1510** to County Affairs.

**SB 1518** to County Affairs.

**SB 1532** to Public Education.

**SB 1533** to Government Reform.

**SB 1551** to Law Enforcement.

**SB 1552** to Law Enforcement.

**SB 1553** to Higher Education.

**SB 1555** to County Affairs.

**SB 1558** to Insurance.

**SB 1569** to Government Reform.

**SB 1573** to Government Reform.

**SB 1583** to Public Education.

**SB 1587** to Local Government Ways and Means.

**SB 1590** to Transportation.

**SB 1591** to Insurance.

**SB 1592** to Insurance.

**SB 1603** to Culture, Recreation, and Tourism.

**SB 1604** to Natural Resources.

**SB 1621** to Local Government Ways and Means.

**SB 1626** to Licensing and Administrative Procedures.

**SB 1635** to County Affairs.

**SB 1655** to Local Government Ways and Means.

**SB 1663** to Government Reform.

**SB 1668** to Regulated Industries.

**SB 1670** to Transportation.

**SB 1674** to Natural Resources.

**SB 1680** to Agriculture and Livestock.

**SB 1686** to Agriculture and Livestock.

**SB 1707** to Environmental Regulation.

**SB 1708** to Agriculture and Livestock.



**SB 1709** to Environmental Regulation.  
**SB 1710** to Environmental Regulation.  
**SB 1714** to Defense Affairs and State-Federal Relations.  
**SB 1740** to Environmental Regulation.  
**SB 1747** to Regulated Industries.  
**SB 1748** to Regulated Industries.  
**SB 1754** to County Affairs.  
**SB 1769** to County Affairs.  
**SB 1771** to Public Health.  
**SB 1787** to Culture, Recreation, and Tourism.  
**SB 1792** to Natural Resources.  
**SB 1815** to Economic Development.  
**SB 1830** to Human Services.  
**SB 1831** to Natural Resources.  
**SB 1841** to Urban Affairs.  
**SB 1850** to Licensing and Administrative Procedures.  
**SB 1851** to Natural Resources.  
**SB 1853** to Natural Resources.  
**SCR 14** to Civil Practices.  
**SCR 33** to Rules and Resolutions.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

**HCR 159** (By P. King), Welcoming the World Congress on Information Technology to Austin in May 2006.  
To Regulated Industries.  
**SB 809** to Insurance.

#### **SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

#### **House List No. 35**

**HCR 136, HCR 148**

#### **MESSAGES FROM THE SENATE**

The following messages from the senate were today received by the house:

**Message No. 1**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Tuesday, May 3, 2005

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**SB 24** Zaffirini

Relating to the creation of a donor education, awareness, and registry program, the establishment of an organ donor and tissue council, and anatomical gift donation.

**SB 229** Lucio

Relating to the Advisory Oversight Community Outreach Committee in the Department of Public Safety of the State of Texas.

**SB 520** Madla

Relating to the provision of health care services by a physician assistant during an emergency or a disaster.

**SB 697** Estes

Relating to the validation of the boundaries of certain school districts.

**SB 771** West, Royce

Relating to the criteria for designation of a reinvestment zone for purposes of tax increment financing and to the powers of a municipality that has created a reinvestment zone.

**SB 1071** West, Royce

Relating to a person's eligibility for an order of nondisclosure with respect to certain criminal history records and to certain law enforcement duties that result from the issuance of an order.

**SB 1089** Madla

Relating to the distribution by the Texas Department of Transportation of certain assistance for the repair and maintenance of county roads.

**SB 1090** Madla

Relating to the powers and duties of a defense base development authority.

**SB 1528** Zaffirini

Relating to the payment of tuition and fees at public institutions of higher education and the determination of Texas residency for that purpose.

**SB 1529**

Zaffirini

Relating to policies and measures to promote timely graduation of students from public institutions of higher education.

**SB 1538**

Barrientos

Relating to the creation of the individual development account program to provide savings incentives and opportunities to eligible low-income, working individuals or households.

**SB 1677**

Barrientos

Relating to the powers and duties of the board of hospital managers of the Travis County Hospital District and to health care services to be provided to certain employees of that district and to certain employees of counties within the state.

**SB 1713**

Staples

Relating to the creation of a study commission on transportation financing.

**SB 1716**

Van de Putte

Relating to the sale of instructional materials to students of institutions of higher education.

**SB 1741**

Staples

Relating to an exemption for certain interbasin transfers of water from certain priority requirements.

**SB 1870**

Seliger

Relating to the board of directors of the Permian Basin Underground Water Conservation District; validating certain district actions and proceedings.

**SCR 15**

Janek

Requesting the Texas Department of Transportation to designate the new causeway bridge connecting Galveston Island and the Texas mainland as the Purple Heart Memorial Bridge.

Respectfully,

Patsy Spaw

Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, May 3, 2005 - 2

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

JA\_008927

### LOCAL AND UNCONTESTED CALENDAR

**HB 297** McClendon SPONSOR: Wentworth  
Relating to changing the title of assistant secretary of state to deputy secretary of state.

**HB 364** Hegar SPONSOR: Brimer  
Relating to the use, sale, purchase, or possession of a traffic-control signal preemption device; providing criminal penalties.

**HB 372** Jackson, Jim SPONSOR: Brimer  
Relating to the required use of towing safety chains on certain vehicles.

**HB 708** Bonnen SPONSOR: Jackson  
Relating to the issuance of permits by the School Land Board authorizing continued use of certain structures on coastal public land.

**HB 747** McReynolds SPONSOR: Staples  
Relating to the designation of the El Camino East/West Corridor.

**HB 760** McReynolds SPONSOR: Jackson  
Relating to fees for registration and inspection of certain fuel measuring and dispensing devices.

**HB 901** McReynolds SPONSOR: Jackson  
Relating to expiration dates for certain licenses issued or renewed by the Department of Agriculture.

**HB 932** Taylor SPONSOR: Lucio  
Relating to structures on coastal public land.

**HB 1099** Chavez SPONSOR: Lucio  
Relating to migrant labor housing facilities.

**HB 1154** Elkins SPONSOR: Averitt  
Relating to limited liability companies and partnerships.

**HB 1236** Paxton SPONSOR: Harris  
Relating to an exemption from The Real Estate License Act for persons who conduct foreclosure sales.

**HB 1319** Giddings SPONSOR: Fraser  
Relating to business entities and associations.

**HB 1489** Turner SPONSOR: Williams  
Relating to the purposes for which money in the compensation to victims of crime fund may be used.

**HB 1507** Solomons SPONSOR: Fraser  
Relating to the regulation of corporations; providing a penalty.

**SB 54** Nelson  
Relating to a restrictive covenant, rule, or other prohibition regulating a homeowner's display of the United States flag.

**SB 272** Williams  
Relating to the creation of an oyster license moratorium program.

**SB 409** Nelson  
Relating to the continuation and functions of the Office of Public Utility Counsel.

**SB 454** Armbrister  
Relating to commercial shrimp boat licenses and to the creation of a gulf shrimp license moratorium program.

**SB 624** Hinojosa  
Relating to the regulation of bail bond sureties.

**SB 698** Van de Putte  
Relating to required disclosures to health benefit plan enrollees regarding professional services provided by certain non-network health care providers.

**SB 707** Van de Putte  
Relating to the issuance of an electrician license to certain members of the armed forces.

**SB 711** Carona  
Relating to metering services provided to certain electricity customers.

**SB 712** Carona  
Relating to the legislature's goal for energy efficiency in this state and related energy efficiency programs.

**SB 799** Lucio  
Relating to the eligibility of certain retired classroom teachers for loans under the professional educators home loan program.

**SB 804** Averitt  
Relating to the liability of license deputies for sales money held in trust for the Parks and Wildlife Department.

**SB 806** Averitt  
Relating to the qualifications of appointed members of the State Soil and Water Conservation Board.

**SB 905** Whitmire  
Relating to the interception of or the collection of other information from certain communications in an investigation of criminal conduct.

**SB 984** Van de Putte  
Relating to a feasibility study regarding the provision of financial incentives to individuals who undergo training for child protective services.

**SB 1018** Staples  
Relating to the extension or modification of residential restrictive covenants in certain counties.

**SB 1037** Lucio  
Relating to tuition rates for Olympic athletes residing and training in Texas.

**SB 1044**

Janek

Relating to efforts by coastal counties to mitigate coastal erosion and improve public access to public beaches; authorizing the issuance of bonds by coastal counties.

**SB 1049**

Lindsay

Relating to the efficient administration of county government.

**SB 1056**

Lucio

Relating to the forced sale of an owner's interest in certain real property.

**SB 1104**

Madla

Relating to the transfer of extraterritorial jurisdiction between certain home-rule and general-law municipalities and annexation of certain territory by the general-law municipalities.

**SB 1107**

Madla

Relating to the requirements for removal of a county treasurer.

**SB 1108**

Madla

Relating to the bond of a county treasurer.

**SB 1149**

Harris

Relating to the electronic transmission of health benefit information between a health benefit plan issuer and a physician or health care provider.

**SB 1159**

Harris

Relating to the regulation of persons who repossess motor vehicles; providing penalties.

**SB 1198**

Ellis

Relating to the determination of the portion of the tax increment produced by a municipality that the municipality is required to pay into the tax increment fund for a reinvestment zone.

**SB 1199**

Ellis

Relating to the deposit of municipal sales and use taxes into a tax increment fund.

**SB 1204**

Madla

Relating to erecting an off-premise sign adjacent to and visible from certain roads.

**SB 1206**

Madla

Relating to erecting an off-premise sign adjacent to and visible from certain roads.

**SB 1214**

Barrientos

Relating to the authority of certain counties to select an insurance broker.

**SB 1275**

Jackson, Mike

Relating to the issuance of certain court orders to protect victims of family violence.

**SB 1284**

Armbrister

Relating to certain requirements applicable to health maintenance organizations.

**SB 1469**

Whitmire

Relating to reporting the deaths of certain individuals.

**SB 1507**

Hinojosa

Relating to the introduction of certain evidence in the sentencing phase of a capital felony case.

**SB 1537**

Armbrister

Relating to the administration, powers, duties, and operation of the Harris-Galveston Subsidence District and the Fort Bend Subsidence District.

**SB 1589**

Carona

Relating to fraudulent documents offered to the county clerk or the secretary of state for filing.

**SB 1596**

Estes

Relating to the sale and service of beer by the holder of a winery permit.

**SB 1631**

Carona

Relating to the right of redemption after the foreclosure of certain properties.

**SB 1654**

Staples

Relating to notice of hearing on a motion for enforcement regarding child support and child custody.

**SB 1660**

Carona

Relating to the assumption of road district powers and duties by certain municipal utility districts; authorizing bonds.

**SB 1669**

Estes

Relating to the composition of the wine sold or dispensed by wineries located in this state.

**SB 1693**

Duncan

Relating to collateral for deposits of public school funds.

**SB 1751**

Duncan

Relating to the powers and board of directors of the Lubbock Reese Redevelopment Authority; authorizing a bond or similar obligation.

**SB 1764**

Gallegos

Relating to the creation of the Airline Improvement District; providing authority to impose a tax and issue a bond or similar obligation.

**SB 1791**

Whitmire

Relating to the prosecution of the offense of capital murder.

**SB 1795**

Armbrister

Relating to the creation of the Fort Bend County Municipal Utility District No. 177; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

**SB 1824**

Duncan

Relating to the expansion of the Salt Fork Water Quality District and the appointment of directors by the commissioners court of each county included within the boundaries of the district.

**SB 1826**

Estes

Relating to the creation, administration, powers, duties, functions, operations, and financing of the Parker County Special Utility District; granting the power of eminent domain.

**SB 1832**

Lindsay

Relating to the assignment of judges to hear certain cases in the Harris County civil courts at law.

**SB 1847**

Zaffirini

Relating to the creation, administration, powers, duties, operation, and financing of the Duval County Groundwater Conservation District.

**SB 1848**

Zaffirini

Relating to the creation, administration, powers, duties, operation, and financing of the Starr County Groundwater Conservation District.

**SB 1849**

Estes

Relating to the creation, administration, powers, duties, functions, operations, and financing of the Stephens Regional Special Utility District; granting the power of eminent domain.

**SCR 10**

Staples

Memorializing congress to include Texas' transportation priorities in legislation to reauthorize TEA-21.

**SCR 16**

Madla

Recognizing the Texas wine industry.

**SCR 17**

Madla

Requesting Texas institutes of higher education to offer education and research opportunities in viticulture and enology.

**SCR 18**

Madla

Memorializing Congress to enact legislation to provide funding to support the protection and growth of the Texas wine industry.

**SCR 19**

Madla

Requesting the Texas Wine Marketing Research Institute at Texas Tech University include comparisons of the economic impacts of the states in the wine industry.

**SCR 27**

West, Royce

Memorializing Congress to eliminate current caps on funded Medicare resident training slots and related limits on costs per resident used to determine Medicare graduate medical education reimbursement payments.

Respectfully,

Patsy Spaw

Secretary of the Senate

**Message No. 3**

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, May 3, 2005 - 3

The Honorable Speaker of the House

House Chamber

Austin, Texas



Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**SB 1227**

Shapiro

Relating to enrollment in public and private postsecondary educational institutions, to payment of the costs of attending those educational institutions, and to financial aid and other measures to assist students to pay those costs.

Respectfully,

Patsy Spaw

Secretary of the Senate

**Message No. 4**

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, May 3, 2005 - 4

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**HB 729**

Nixon

SPONSOR: Janek

Relating to an order by a court that a judgment debtor turn over certain property for the satisfaction of the judgment.

**HB 2814**

Bonnen

SPONSOR: Janek

Relating to the powers and duties of the Sweeny Hospital District.

(AMENDED)

**SB 386**

Wentworth

Relating to the ability of public school employees to communicate with members of a school district board of trustees.

THE SENATE HAS CONCURRED IN HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

**SB 481**

(31 Yeas, 0 Nays)

Respectfully,

Patsy Spaw

Secretary of the Senate

JA\_008933

**Message No. 5**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Tuesday, May 3, 2005 - 5

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**SB 49** Nelson  
Relating to the electronic submission of certain health care transactions.

**SB 408** Nelson  
Relating to the continuation and functions of the Public Utility Commission of Texas; providing a penalty.

**SB 826** Van de Putte  
Relating to a cost-benefit analysis of providing mental health services for women with postpartum depression.

**SB 1246** Brimer  
Relating to local option elections in certain populous areas on the sale of mixed beverages by food and beverage establishments.

**SB 1272** Jackson, Mike  
Relating to requirements for county election precincts.

**SB 1370** Madla  
Relating to the disposition of certain tax revenue for the protection and development of grape and wine production.

**SB 1578** Duncan  
Relating to jurisdiction and venue in condemnation proceedings.

**SJR 3** Armbrister  
Proposing a constitutional amendment providing for the issuance of additional general obligation bonds by the Texas Water Development Board.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

---

**APPENDIX**

---

**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

JA\_008934

**May 2**

Appropriations - **HB 3540**

Civil Practices - **HB 974**

County Affairs - **HB 3516, HB 3517, HB 3518**

Criminal Jurisprudence - **HB 3151, HB 3152**

Culture, Recreation, and Tourism - **HB 884, HB 886, HB 2901, SB 602**

Economic Development - **HB 3247**

Elections - **HB 963, HB 2309**

Environmental Regulation - **HB 39**

Human Services - **HB 288, HB 2459**

Insurance - **HB 1217, HB 1485, HB 2155, HB 2157, HB 2371, HB 2437, HB 2551, HB 2810, HB 3271, HB 3299, HB 3300, SB 261**

Law Enforcement - **HB 499, HB 1869**

Public Health - **HB 247, HB 772, HB 1220, HB 1502, HB 1719, HB 2180, HB 2472, HB 2500, HB 2765, HB 3099, HB 3357, SB 350, SB 376, SB 1330**

Regulated Industries - **HB 3179**

State Affairs - **HB 3563**

Transportation - **HB 1822, HB 2300, HB 3221**

Urban Affairs - **HB 2489, HB 2640, HB 3409**

Ways and Means - **HB 229, HB 2675, HB 3573**

**ENGROSSED**

**May 2 - HB 920, HB 1118, HB 1248, HB 1255, HB 1391, HB 1458, HB 1800, HB 1997, HB 2027, HB 2071, HB 2200, HB 2202, HB 2243, HB 2257, HB 2266, HB 2335, HB 2348, HB 2518, HB 2581, HB 2656, HB 2685, HB 2828, HB 2928, HB 2942**

**ENROLLED**

**May 2 - HCR 3**

**SENT TO THE GOVERNOR**

**May 2 - HB 67, HB 423, HB 1657, HB 1815, HCR 3**

By: Denny, Pitts, Woolley, Nixon, Bohac,  
et al.

H.B. No. 1706

A BILL TO BE ENTITLED

AN ACT

relating to requiring a voter to present proof of identification.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 62, Election Code, is amended by adding  
Section 62.016 to read as follows:

Sec. 62.016. NOTICE OF ACCEPTABLE IDENTIFICATION OUTSIDE  
POLLING PLACES. The presiding judge shall post in a prominent place  
on the outside of each polling location notice that a provisional  
ballot will be provided to a person who executes the appropriate  
affidavit and a list of the acceptable forms of photographic and  
nonphotographic identification. The notice and list must be  
printed:

(1) in English, Spanish, and any other language  
appropriate to the precinct in which the polling place is located;  
and

(2) using a font that is at least 24 point.

SECTION 2. Section 63.001, Election Code, is amended by  
amending Subsections (b), (c), (d), and (f) and adding Subsection  
(g) to read as follows:

(b) On offering to vote, a voter must present to an election  
officer at the polling place the voter's voter registration  
certificate and either:

(1) one form of identification listed in Section  
63.0101(a); or

H.B. No. 1706

1           (2) two different forms of identification listed in  
 2 Section 63.0101(b) [to an election officer at the polling place].

3           (c) On presentation of the documentation required by  
 4 Subsection (b) [a registration certificate], an election officer  
 5 shall determine whether the voter's name on the registration  
 6 certificate is on the list of registered voters for the precinct.

7           (d) If the voter's name is on the precinct list of  
 8 registered voters and the voter's identity can be verified from the  
 9 proof presented, the voter shall be accepted for voting.

10           (f) After determining whether to accept a voter, an election  
 11 officer shall return the voter's documentation [~~registration~~  
 12 ~~certificate~~] to the voter.

13           (g) If the requirements for identification prescribed by  
 14 Subsection (b)(1) or (2) are not met, the voter shall be accepted  
 15 for provisional voting only under Section 63.011.

16           SECTION 3. Chapter 63, Election Code, is amended by adding  
 17 Section 63.0012 to read as follows:

18           Sec. 63.0012. USE OF ADDRESS ON IDENTIFICATION. (a) This  
 19 section applies only to a voter who:

20                   (1) presents a registration certificate;  
 21                   (2) is on the list of registered voters for the  
 22 precinct; and

23                   (3) confirms the address on the list of registered  
 24 voters is current under Section 63.0011.

25           (b) In verifying the identity of a voter described by  
 26 Subsection (a) under Section 63.001, an election officer may not  
 27 consider whether the voter's address on a form described by Section

H.B. No. 1706

1 63.001(b)(1) or (2) matches the voter's address on the registration  
2 certificate or the list of registered voters.

3 SECTION 4. Section 63.006(a), Election Code, is amended to  
4 read as follows:

5 (a) A voter who, when offering to vote, presents a voter  
6 registration certificate indicating that the voter is currently  
7 registered in the precinct in which the voter is offering to vote,  
8 but whose name is not on the precinct list of registered voters,  
9 shall be accepted for voting if the voter's identity can be verified  
10 from the proof presented.

11 SECTION 5. Section 63.007(a), Election Code, is amended to  
12 read as follows:

13 (a) A voter who, when offering to vote, presents a voter  
14 registration certificate indicating that the voter is currently  
15 registered in a different precinct from the one in which the voter  
16 is offering to vote, and whose name is not on the precinct list of  
17 registered voters, shall be accepted for voting if the voter's  
18 identity can be verified from the proof presented and the voter  
19 executes an affidavit stating that the voter:

20 (1) is a resident of the precinct in which the voter is  
21 offering to vote or is otherwise entitled by law to vote in that  
22 precinct;

23 (2) was a resident of the precinct in which the voter  
24 is offering to vote at the time that information on the voter's  
25 residence address was last provided to the voter registrar;

26 (3) did not deliberately provide false information to  
27 secure registration in a precinct in which the voter does not

H.B. No. 1706

1     reside; and

2                 (4)    is voting only once in the election.

3                 SECTION 6.   Section 63.008(a), Election Code, is amended to  
4     read as follows:

5                 (a)    A voter who does not present a voter registration  
6     certificate when offering to vote, but whose name is on the list of  
7     registered voters for the precinct in which the voter is offering to  
8     vote, shall be accepted for voting if the voter executes an  
9     affidavit stating that the voter does not have the voter's voter  
10    registration certificate in the voter's possession at the polling  
11    place at the time of offering to vote and the voter's identity can  
12    be verified from the proof presented [~~voter presents proof of~~  
13    ~~identification in a form described by Section 63.0101~~].

14                SECTION 7.   Section 63.0101, Election Code, is amended to  
15    read as follows:

16                Sec. 63.0101.   DOCUMENTATION OF PROOF OF IDENTIFICATION.

17    (a) The following documentation is an acceptable form [~~as proof~~] of  
18    photo identification under this chapter:

19                (1)    a driver's license or personal identification card  
20    issued to the person by the Department of Public Safety or the  
21    equivalent agency of another state that has not expired or that  
22    expired no earlier than two years before the date of presentation  
23    [~~or a similar document issued to the person by an agency of another~~  
24    ~~state, regardless of whether the license or card has expired~~];

25                (2)    a United States military identification card that  
26    contains the person's photograph [~~form of identification~~  
27    ~~containing the person's photograph that establishes the person's~~

H.B. No. 1706

1 ~~identity];~~

2 (3) a valid employee identification card that contains  
 3 the person's photograph and is issued by an employer of the person  
 4 in the ordinary course of the employer's business [~~birth~~  
 5 ~~certificate or other document confirming birth that is admissible~~  
 6 ~~in a court of law and establishes the person's identity)];~~

7 (4) a United States citizenship certificate [~~papers~~]  
 8 issued to the person that contains the person's photograph;

9 (5) a United States passport issued to the person;

10 (6) a student identification card issued by a public  
 11 or private institution of higher education that contains the  
 12 person's photograph [~~official mail addressed to the person by name~~  
 13 ~~from a governmental entity)];~~

14 (7) a license to carry a concealed handgun issued to  
 15 the person by the Department of Public Safety;

16 (8) an identification card issued by a state agency of  
 17 this state that contains the person's photograph; or

18 (9) an identification card that contains the person's  
 19 photograph and is issued by a county elections administrator or a  
 20 county clerk.

21 (b) The following documentation is acceptable as proof of  
 22 identification under this chapter:

23 (1) a copy of a current utility bill, bank statement,  
 24 government check, paycheck, or other government document that shows  
 25 the name and address of the voter;

26 (2) official mail addressed to the person by name from  
 27 a governmental entity;



H.B. No. 1706

1           (3) a certified copy of a birth certificate or other  
 2 document confirming birth that is admissible in a court of law and  
 3 establishes the person's identity;

4           (4) United States citizenship papers issued to the  
 5 person;

6           (5) an original or certified copy of the person's  
 7 marriage license or divorce decree;

8           (6) court records of the person's adoption, name  
 9 change, or sex change;

10           (7) an identification card issued to the person by a  
 11 governmental entity of this state or the United States for the  
 12 purpose of obtaining public benefits, including veteran's  
 13 benefits, Medicaid, or Medicare;

14           (8) a temporary driving permit issued to the person by  
 15 the Department of Public Safety;

16           (9) a pilot's license issued to the person by the  
 17 Federal Aviation Administration or another authorized agency of the  
 18 United States;

19           (10) a library card that contains the person's name  
 20 issued to the person by a public library located in this state; or

21           (11) a hunting or fishing license issued to a person by  
 22 the Parks and Wildlife Department ~~[or~~

23 ~~[(8) any other form of identification prescribed by~~  
 24 ~~the secretary of state].~~

25           (c) The commissioners court of a county may authorize the  
 26 county elections administrator or the county clerk, as applicable,  
 27 to issue photo identification cards that may be used as proof of a

H.B. No. 1706

1 voter's identification under Subsection (a).

2 SECTION 8. Sections 63.011(a) and (b), Election Code, are  
3 amended to read as follows:

4 (a) A person to whom Section 63.001(g), 63.008(b), or  
5 63.009(a) applies may cast a provisional ballot if the person  
6 executes an affidavit stating that the person:

7 (1) is a registered voter in the precinct in which the  
8 person seeks to vote; and

9 (2) is eligible to vote in the election.

10 (b) A form for the affidavit shall be printed on an envelope  
11 in which the provisional ballot voted by the person may be placed  
12 and must include a space for entering the identification number of  
13 the provisional ballot voted by the person and a space for an  
14 election officer to indicate whether the person presented proof of  
15 identification as required by Section 63.001(b)(1) or (2). The  
16 affidavit form may include space for disclosure of any necessary  
17 information to enable the person to register to vote under Chapter  
18 13. The secretary of state shall prescribe the form of the  
19 affidavit under this section.

20 SECTION 9. Section 65.054(b), Election Code, is amended to  
21 read as follows:

22 (b) A provisional ballot may be accepted only if:

23 (1) the board determines that, from the information in  
24 the affidavit or contained in public records, the person is  
25 eligible to vote in the election; and

26 (2) the voter presents proof of identification as  
27 required by Section 63.001(b)(1) or (2):

H.B. No. 1706

1                   (A) at the time the ballot was cast; or  
2                   (B) in the period prescribed under Section  
3                   65.0541.

4           SECTION 10. Subchapter B, Chapter 65, Election Code, is  
5 amended by adding Section 65.0541 to read as follows:

6           Sec. 65.0541. PRESENTATION OF IDENTIFICATION FOR CERTAIN  
7 PROVISIONAL BALLOTS. (a) A voter who is accepted for provisional  
8 voting under Section 63.011 because the voter does not present  
9 proof of identification as required by Section 63.001(b)(1) or (2)  
10 may submit proof of identification to the voter registrar by  
11 personal delivery or by mail for examination by the early voting  
12 ballot board not later than the fifth day after the date of the  
13 election.

14           (b) The early voting ballot board shall accept a provisional  
15 ballot under Section 65.054 if the voter:

16                   (1) presents proof of identification in the manner  
17 required by this section; and

18                   (2) is otherwise eligible to vote in the election.

19           (c) The office of the voter registrar shall be open on a  
20 Saturday that falls within the five-day period described by  
21 Subsection (a) for a voter to present identification as provided  
22 under this section.

23           (d) The secretary of state shall prescribe procedures as  
24 necessary to implement this section.

25           SECTION 11. Section 521.422, Transportation Code, is  
26 amended by amending Subsection (a) and adding Subsection (d) to  
27 read as follows:

H.B. No. 1706

1           (a) Except as provided by Subsection (d), the ~~[The]~~ fee for  
2 a personal identification certificate is:

3                   (1) \$15 for a person under 60 years of age;

4                   (2) \$5 for a person 60 years of age or older; and

5                   (3) \$20 for a person subject to the registration  
6 requirements under Chapter 62, Code of Criminal Procedure.

7           (d) The department may not collect a fee for a personal  
8 identification certificate issued to a person who executes an  
9 affidavit stating that the person is financially unable to pay the  
10 required fee and:

11                   (1) who is a registered voter in this state and  
12 presents a valid voter registration certificate; or

13                   (2) who is eligible for registration under Section  
14 13.001, Election Code, and submits a registration application to  
15 the department.

16           SECTION 12. The changes in law made by this Act take effect  
17 only if:

18                   (1) the United States District Court for the District  
19 of Columbia issues a declaratory judgement under 42 U.S.C. Section  
20 1973c that this Act does not have the purpose and will not have the  
21 effect of denying or abridging the right to vote on account of race  
22 or color or in contravention of the guarantees set forth in 42  
23 U.S.C. Section 1973b(f)(2); or

24                   (2) the secretary of state submits this Act to the  
25 United States Attorney General under 42 U.S.C. Section 1973c and  
26 the attorney general does not interpose an objection within the  
27 time provided by that section.

H.B. No. 1706

1           SECTION 13.   This Act takes effect September 1, 2005.